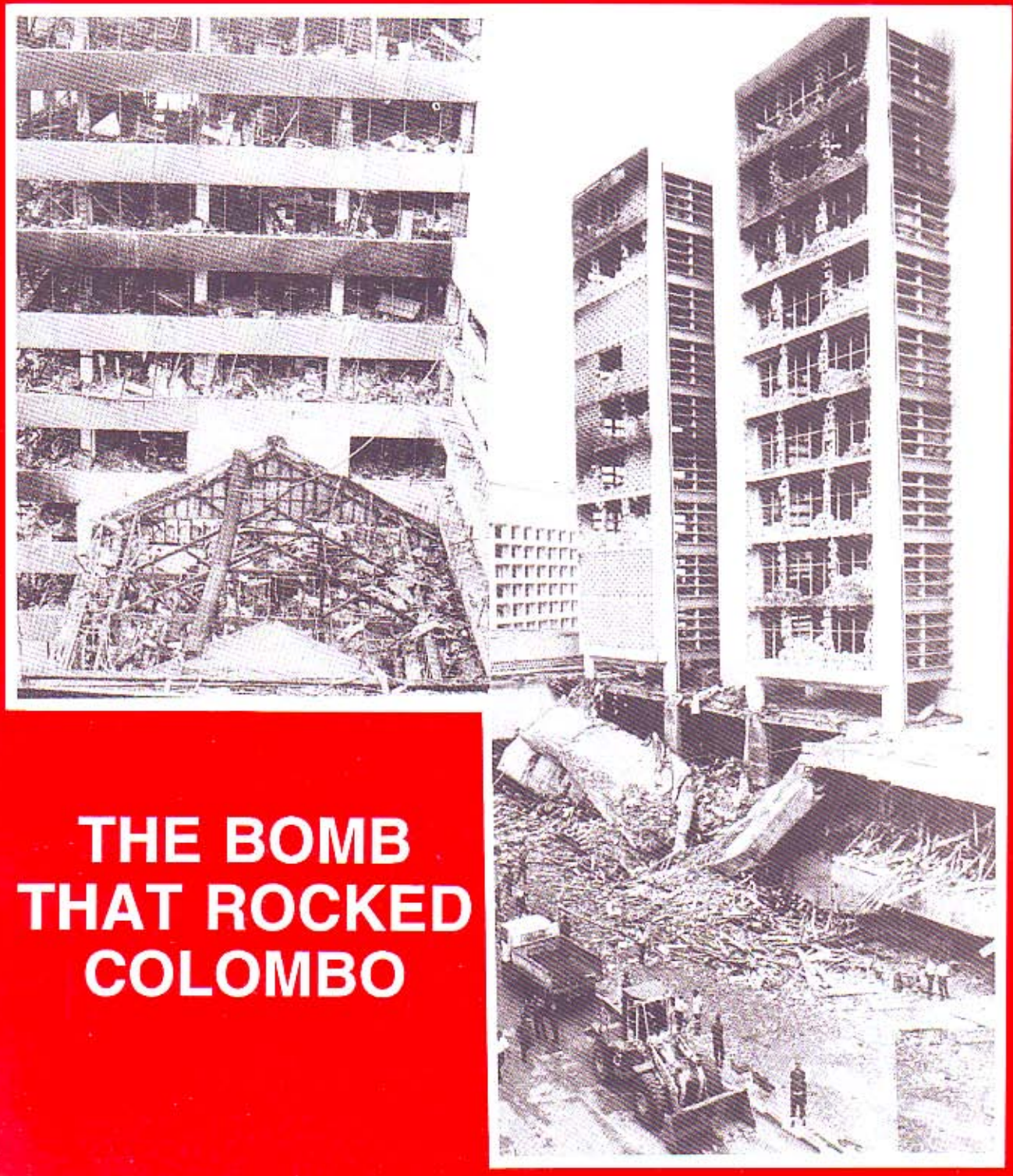
Tamil TIMES

Vol XV No.2 ISSN 0266-4488 15 FEBRUARY 1996 90p

ANNUAL SUBSCRIPTION

UK/India/Sri Lanka.....£15/$25
Australia.....Aus$45
Canada.....Can$40
USA.....$35
All Other Countries £20/US$35

FIFTEENTH YEAR OF UNINTERRUPTED PUBLICATION



THE BOMB THAT ROCKED COLOMBO

TAPROBANE TRAVEL

Sri Lanka Tours

(Over 120,000 satisfied clients since 1977)

KLM TO COLOMBO

It's the talk of the town

From £340 return

February – June 1996

FLY THE RELIABLE AIRLINE WITH THE RELIABLE AGENT

Depart **LONDON -** TUESDAY ,FRIDAY AND SATURDAY

Depart **COLOMBO -** WEDNESDAY,SATURDAY & SUNDAY

ADDITIONAL CHARGE OF £20 ONLY FROM REGIONAL AIRPORTS-

BRISTOL,B'HAM,CARDIFF M'CHESTER,GLASGOW NEW CASTLE, ABERDEEN,BELFAST, EDINBURGH,LEEDS AND NORWICH

Transit Visa for Amsterdam NOT required for Sri Lankans with permanent residency in the UK

AVOID THE HASSLE AT BANDARANAIKE INTERNATIONAL AIRPORT BY USING OUR AIR CONDITIONED TRANSPORT FROM A MERE **£10**

Fly the Difference KLM Royal Dutch Airlines

OPENING HOURS

MON - FRI 10AM - 6 PM
SAT - 11AM - 1 PM
FOR EMERGENCIES ONLY PLEASE PHONE

0860 439 483

Fly the Difference KLM Royal Dutch Airlines

For reservations contact our Travel Consultants- Kamini,Daphne,Nipuni or Upali

Access

London Office 4,Kingly Street,London W1R 5LF
Tel: 0171-437 6272/3,.0171-734 9078

VISA

***Colombo Office*- 252 Galle Road,Colombo 4.Tel: 587767**

I do not agree with a word of what you say, but I'll defend to the death your right to say it.
- Voltaire

Tamil TIMES

ISSN 0266-4488
Vol.XV No.2
15 FEBRUARY 1996

Published by

TAMIL TIMES LTD
P.O. BOX 121
SUTTON, SURREY SM1 3TD
UNITED KINGDOM

Phone: 0181-644 0972
Fax: 0181-241 4557

ANNUAL SUBSCRIPTION

UK/India/Sri Lanka	**£15/US$25**
Australia	**Aus$45**
Canada	**Can$40**
USA	**US$35**
All other countries	**£20/US$35**

Views expressed by contributors are not necessarily those of the editor or publishers

The publishers assume no responsibility for return of unsolicited manuscripts, photographs or artwork

CONTENTS

News Review. 3
'We will take Jaffna soon' – Kalikaran. 8
The Draft Constitutional Provision. 10
Devolution, the Bank Bomb & the Dilemma of Tamil Parties. 13
The Exodus from Jaffna. 15
Devolution is the only way to Concord. 19
Hawala Racket Unmasks Indian Politicians. 21
Opposition in a Quandary. 23
Family Politics in Sub-Continent. 25
The Politics of Festivals. 26
Letters. 28

NEWS REVIEW

The Bomb that Rocked Colombo

A truck packed with explosives and driven by a suicide-bomber was rammed into Sri Lanka's Central Bank building on 31 January and the resulting explosion set off a string of high-rise fires that left the commercial part of the capital city devastated, at least one-hundred people dead and over 1300 civilians seriously injured.

Though the Tamil Tigers did not acknowledge the bomb attack which rocked Colombo's commercial heartland leaving many of the buildings ablaze, there was almost universal belief that it was the work of the LTTE. A group of about six to eight men managed to get past security city's numerous check points in a "convoy of mismatached vehicles - a van, a three-wheeled motorcycle taxi and a blue Isuzu truck - down the narrow Janadhipathi Mawatha Avenue towards its target."

According to eye-witness accounts, the truck slowed down as it drew alongside the Central Bank during the morning busy time of around 11 am, the vehicle doors were opened, men jumped out spraying machine-gun fire at the bank's security guards and at random at pedestrians. The attackers also fired RPGs (rocket-propelled grenades) at the top floors of the three-tower bank complex and the 14-storey Ceylinco House, the tallest building in Colombo located on the opposite side of the road. "Finally the driver of the blue truck, with suicidal zeal, rammed his vehicle in front of the bank and detonated some 200 kg of explosives, producing a devastating blast that transformed a busy Wednesday morning into a tableau of horror."

The ground and first floors of the Bank building were virtually destroyed and almost all the its windows were shattered to smithereens. The blast left a crater eight feet deep and the front of the Central Bank collapsed into the street. Over forty of its employees were instantly killed and several hundreds injured. The sheer force of the explosion was so vast that several facing buildings and those on either side of the Bank burst into flames enveloping the area in thick smoke. Lifts plummeted down their shafts and glass from shattered windows flew in all directions. Dozens of bodies were strewn in the street and inside buildings. Raging fires prevented rescuers from reaching the victims of the carnage. People trapped on top of burning buildings cried for help. Helicopters hovered over rooftops and tried to get low enough to pick up survivors.

This is by no means the first bomb attack in the island's capital city. However the significance of this suicide-bomb attack is that it occurred in an area near the Bank of Ceylon and the Central Bank of Sri Lanka, the government's controlling bank, the Ceylinco House which houses over 55 Colombo's companies eight of which are listed on the Colombo Stock Exchange, a few hundred yards from Presidential Secretariat and official residence, the building housing the Foreign Ministry, the Naval Headquarters and other important government and commercial buildings including the 39-storey twin-tower World Trade Centre and several five-star tourist hotels.

The attack on the country's Central Bank and other commercial and financial institutions in the capital is seen by observers as a direct blow to the island's economy both in the short and longer terms. It is felt that potential foreign investors are likely to shy away. They also expect the government's privatisation programme, which was expected to bring in money into the national exchequer to meet the huge budget deficit of nearly two million US dollars mainly caused by military expenditure, to be delayed if not disrupted. However, according to the World Bank, long term foreign investment in Sri Lanka will not suffer. An official of the World Bank's South Asia Desk is reported to have said that foreign investors who have been looking at Sri Lanka for a long time are aware of the problems, adding that it is unlikely for the incident to influence their decisions fundamentally. But, observers feel that such an optimistic assessment can be upset by the scale and frequency of any further damaging similar attacks by the Tigers.

A whole luxury hotel, Hotel Intercontinental, located not far from the targeted Central Bank, was evacuated symbolising the probable impact on the tourist industry on which the island relies for its foreign currency earnings. Tourism is the third highest foreign exchange earner after garment exports and remittances from expatriates.

The bomb attack in Colombo's financial heartland has also brought the horror of war home to the island's affluent middle class and seriously polluted the atmosphere in which the government

was seeking to progress its political solution to the conflict, analysts said despite the President's renewed assertion that her government would not be deflected from its efforts to find such a solution because of the bomb attack.

"This has suddenly made the war real for a whole different class of people," a Western diplomat said. "Suddenly, the people they play golf with are dead. Psychologically, this is horrific for the government."

"Absolutely everyone is wondering now what could be the next target," another diplomat said. Former air force chief, Harry Goonetileke said Colombo residents had largely escaped the 13-year war with LTTE. "Up to now they have been detached but this has hit everybody hard," he is reported to have said. "As a result attitudes are hardening. It's back to square one as far as the political process is concerned. Even

without this blast it would have been difficult to sell the peace package."

Reports indicate that the suicide bomber, the driver of the carrying the lethal explosives died instantly along with two of his associates. But according to police claims that two of the attackers who managed to escape from the scene were later captured and confessed to being Tamil Tigers. They claim that the suspects told investigators that the truck was loaded with rice and driven from the northern town of Vavuniya on January 30. Three attackers, identified as 24-year-old Sivasamy Dharma Rhuben, 26-year-old Subramaniam Vigneswaran, and the driver identified only as Raj, then loaded the truck with explosives in a northern part under the control of the Tigers. All three are reported to be from the northern rebel-held town of Kilinochchi.

They also said that they arrested the fourth accomplice in the attack in Vavuniya on 7 February as he tried to return to Kilinochchi.

Reacting the bomb attack, Sri Lankan Justice Minister G.L. Peiris said that the Tigers more worried about the impact of the government peace plan than the loss of their stronghold of Jaffna city which the army captured in December. "We also think that the successful implementation of the political proposals will be a far greater defeat for the LTTE than the fall of Jaffna. The LTTE will do everything in its power to frustrate the implementation of the political proposals."

Prof. Pakiasothy Saravanamuttu of the University of Colombo's Center for Policy Research and Analysis said the Tamil Tigers could not be ignored as the peace process debated. "The point that the LTTE keeps constantly making is that this conflict cannot be resolved without them playing a major part in its solution. And, as far as the legal draft on devolution is concerned, they have made the point that the government's proposals have not been presented to them and they are key players. So, in a sense, this is their way of bombing themselves back on the agenda."

The Central Bank resumed currency operations on 6 February, six days after the bomb attack. Currency operations began from two locations at the state-owned Bank of Ceylon and People's Bank head offices, according to a Central Bank official.

Condemnation: Secretary-General of the UN, Boutros Boutros-Ghali said he deplored the bomb blast in the Sri Lankan capital of Colombo that killed many and injured many more. In a statement released by his office, he said he was "dismayed by the loss of life resulting from Wednesday's bomb incident in Colombo." "He deplores acts that target civilians and stresses the need to find an early negotiated political solution to the

conflict in Sri Lanka which continues to inflict great suffering and losses on the country," the statement said.

The International Committee of the Red Cross (ICRC) condemned the bomb attack in the island's capital as a "serious violation of international humanitarian law." The ICRC, which is actively operating across the strife-torn island said the blast's victims were all civilians who happened to be in the city's financial district at the time. "The ICRC delegation in Colombo immediately dispatched emergency first-aid supplies to the city's hospitals. Volunteers of the Sri Lanka Red Cross Society gave assistance to people trapped inside the burning buildings, helped take the wounded to hospital and informed the victims' families," it said.

"The ICRC condemns this deliberate attack on civilians, which is a serious violation of the rules of international humanitarian law. It urges respect for these rules, so that civilians will no longer be targeted by such acts," the ICRC statement added.

The European Union "strongly condemned" the bomb attack in Colombo. "There is no justification for targeting such areas, moreover as they were heavily populated by civilians," the EU said in a statement.

The statement, issued by the Italian foreign ministry as Italy holds the six-month EU presidency, said the EU supported "a negotiated peaceful settlement of the ethnic conflict in Sri Lanka." It added that proposals by the Sri Lankan government for constitutional reforms "constitute a sound basis for a peaceful solution to this tragic conflict."

Attack - How and by Whom : After the fall of the LTTE controlled Jaffna city to the Sri Lankan troops who raised the island's national "lion flag" in symbolising their victory over the Tigers who swore to avenge their defeat, some time around New Year's Day, Sivasamy Dharma Rhuben, aged 24, Subramaniam Vigneswaran, aged 26, and another person identified only as Raj, all allegedly belonging to the fierce and suicidal Black Tigers section of the LTTE, crossed into government-held territory near the town of Vavuniya, posing as refugees.

Each travelled separately, making a trip that hundreds of Tamils had already made, fleeing Jaffna as the army approached. Each stayed in Vavuniya at least three days, the time it takes to register refugees, before heading towards Colombo. Rhuben arrived in the capital January 3 and took a room at the Fathima Lodge in the capital. Vigneswaran arrived the next day, staying with a Tamil family for six days before moving to another hotel near the Fathima Lodge. It is unclear when Raj arrived, or where he stayed. The men faded into Tamil neighbourhoods, and their movements for the next four weeks are not known.

On Monday 29 January, two other men at the Vavuniya camp loaded a blue-painted truck with 75 bags of rice hulls and began the journey to Colombo. The driver identified himself to soldiers at a checkpoint as Navaratnam. In Colombo, Navaratnam turned over the vehicle which had arrived on 30 January to a member of the Black Tiger squad and headed back towards the north.

Later on the same day, the truck pulled up at a warehouse in the northern part of the capital, and some of the bags of rice were unloaded. The truck was parked there overnight. On 31st Wednesday morning, Rhuben, Vigneswaran and Raj assembled to begin the final stages of their mission. Raj took the wheel of the truck, which was now loaded with some 440 pounds of explosives. The other two sat beside him, wearing jackets filled with explosives. They also carried a slip of paper, written in English, Sinhalese and Tamil. It read: "This vehicle is carrying 4,000 kilograms of explosives. If you try to stop us, we will blow it up."

At 10:50 a.m., they drove onto President's Street, a mile and a half from the warehouse. Rhuben and Vigneswaran leaped from the cab of the vehicle, firing a rocket-propelled grenade and automatic weapons, apparently in an attempt to distract the guards at the Central Bank. Raj rammed the truck into the bank building and triggered the explosives. The roar from the explosion was heard 10 miles away.

Raj was vaporized.

After the blast, Rhuben and

Vigneswaran commandeered a motor-scooter taxi and fled to a bakery a mile away. They went inside to change their clothes, but they had been followed by civilians, who grabbed them and turned them over to the police.

On Thursday 1 February, soldiers at a checkpoint in Vavuniya arrested a man whom investigators believe was Navaratnam, the man who brought the truck to Colombo. More than 25 persons, including one who accepted money for the truck's parking space, have been taken into custody and are being interrogated by the police.

Army Accused of Massacre

At least 24 innocent Tamil civilians were killed and 30 more were injured in the eastern Trincomalee district on 12 February when troops went on a retaliatory rampage following an attack by the Tigers an hour earlier on an army post in which two soldiers were killed. The massacre occurred in the small village of Kumarapuram near Kiliveddi. The government has ordered an investigation into the massacre and according to reports, some soldiers including officers have already been taken into custody.

"At present, police investigations are in progress and eye- witness accounts suggest the possibility of military personnelbeing involved. Some military personnel who have been suspected of involvement have already been placed under military custody," said a statement by the Defense ministry, dated on 14 February.

Members of Parliament from the Tamil United Liberation Front (TULF) and human rights groups who visited the area following the incident, after speaking to witnesses, including the injured people who were taken to the Muthur and Trincomalee hospitals, said that there was no doubt that the massacre was carried out by the army.

The dead included 13 children, six women including a pregnant one and five men. The children included a 3-year-old, a 4-year-old and a 6-year-old. According a report by Amnesty International, one of the young girls, only 15 years old, was raped before being killed by troops.

When news of the massacre spread, military spokesmen first denied the incident and subsequently changing their stance by falsely alleging that the massacre had been carried out by "an unknown group of armed persons."

Mr.A.Thangathurai, TULF MP for the area, who visited the village and spoke to survivors, in a letter addressed to President Kumaratunga called for a independent commission headed by a Supreme Court judge to carry out an investigation into the massacre. In his letter the MP said that in the face of cumulative evidence produced, she should be satisfied that this was a massacre of innocent civilians by the army, and that such action by army men could not have taken place without the knowledge of the officer or officers in charge of the camp or camps in the area."

The University Teachers for Human Rights (Jaffna) - UTHR(J) - has accused the military of an attempted coverup by preventing the wounded from being taken to hospital until they heard that, on the direction of the government, a Brigadier and a police DIG were on their way to the area from Trincomalee. The UTHR(J) in a comprehensive report of the incident added, "Kilivetti was an area from which hardly any people had joined the LTTE. There is now absolute distrust of the army. Some villagers have even said that they must now seek the protection of the LTTE or even join the LTTE rather than being killed by the army in this manner."

Amnesty International in a condemnatory statement said that "soldiers should be reminded that killings by the opposition (enemy), however heinous, can never provide justification for government forces to deliberateiy kill defenceless people."

In an unusually strongly worded editorial, the "Sunday Island" of 18 February said that "a unit of the army has been accused of the Kiliveddi massacre of civilians which occurred last Sunday night. Men, women and children have been brutally killed and Amnesty International has even made the charge that one woman had been raped. These accusations have been made by TULF politicians who have been sympathetic towards the PA government.

"The government has appointed a senior army officer to conduct the inquiry. This incident calls for the demonstration of the government's election pledge for transparency. The massacre has received wide publicity in the international media and no one should make any attempt to cover up the incident. Those found guilty of this massacre deserve the severest of penalties."

Devolution Proposals

The legal text of the devolution proposals in the form draft constitutional amendments to Sri Lanka's Constitution purporting to give effect to the political package announced in August last year to solve the ethnic conflict was announced to the public on 17 January.

The government's proposals have now been placed before an all-party Parliamentary Select Committee(PSC) for discussion and approval. Once the PSC approves them, they will have to be approved by Parliament with a two-thirds majority. The ruling Peoples Alliance coalition does not possess that majority, and therefore has to rely on the opposition United National Party (UNP) and other minority Tamil parties to obtain the required majority.

In the event of Parliament approving the proposals with the majority needed, thereafter they will have to be accepted at a referendum of the people because they involve substantial constitutional changes.

The draft describes Sri Lanka as plural society and an indissoluble union of regions thus rejecting separatism as an option. The President will have power to dissolve any regional council promoting armed rebellion or poses danger to the unity and sovereignty of the country. It lays down the extent of devolution to the regional councils, but is silent on the question of the unit of devolution.

The proposals face stiff opposition from extremist Sinhalese sections which have already mounted a campaign to oppose them. On the other hand even the Tamil parties in parliament, which generally tend to support the PA government, and especially its efforts to seek a negotiated solution, have expressed reservations about some aspects of the proposals which they say constitute a dilution of the original proposals published in August last year. A joint statement by TELO, PLOTE, EPRLF and EROS said that the proposed constitutional changes fell far short of accommodating the aspirations of the Tamil speaking people within the framework of a united country. They said that the fundamental question of ensuring a unified north-east region as one unit of devolution mains unanswered.

The opposition United National Party (UNP) has not come out either in favour or against the government's devolution proposals. The government has already approached the UNP seeking support for the proposals, and Constitutional Affairs Minister G.L.Peiris has had discussions with Opposition Leader Ranil Wickremasinghe. The UNP leader's dilemma is that he does not want his party to incur the wrath of extremist Sinhala sections by openly lending support to the government's proposal, and at the same time he does not want to alienate the Tamil vote and their political parties whose support he may need in the future to regain power.

Some Tamil parties have also approached the UNP urging it to consider the proposals in a non-party political basis and extend support to them in parliament. After having discussions with the leadership of the UNP, some leaders of Tamil parties said that the UNP had

promised to look into the question as a national and apolitical issue.

It is the deprivation of certain rights of Tamil people that had created the atmosphere of dissension and unrest among the people of the North which resulted in the armed uprising. Unless a political solution is arrived at realising that this group of people had real grievances the war going on in the country from 1983 cannot be isolated from the people of the North. Even if the Government defeats the Tigers militarily te agitation for status as equal citizens will go on unless the Government is able to offer a viable and just political solution to the problem, President Chandrika Bandaranaika said yesterday.

The President was addressing the Maha Sangha at a convention of the Samastha Lanka Pavidi Sanvidhanaya (National Organisation of Buddhist Clergy) held at the BMICH.

The President said that some of the problems of the Tamil people were real though making Sinhala the official language by late S W R D Bandaranaike was not aimed at discriminating against the Tamil people but only a recognition of the language of the majority of people in the country who had been isolated by the colonial rulers for nearly one and a half centuries. The late Mr Bandaranaike also formulated legislation for the reasonable use of Tamil. But, it appeared that the practical problems of the people addressed by the Reasonable Use of Tamil Bill have been allowed to fall by the wayside during the last several years. A Tamil citizen could write to the Government in his or her own language and the Government should reply to the letter in the language of that citizen. This did not happen and for the last many years there were no Tamil translators or officers appointed by the Government.

Continuing the President said that she was aware that the majority community Sinhala citizens, were mostly Buddhist and as a Buddhist herself she was totally opposed to any form of discrimination against people on the grounds of their ethnic identity. The people who had voted for the People's Alliance Government in the last elections had given a mandate for a political solution. Therefore the Government will seek a political solution aimed at resolving the conflict.

The President also said that it was the common people at this country who sent their children to the war and faced the loss of young members of their families at the front. But, there were other people who lived in ivory towers in Colombo who had started expressing extremist views opposing the solution proposed by the Government. While these people seemed to have made it a profession to fish in troubled waters their children were not at the war. The elite did not take part in the war and those who suffered most were the poorest and the most underprivileged people of the country. It was the duty of the Government to find a viable solution to the problem and the Government was grateful to the Maha Sangha who had studied the political proposals of the Government and made recommendations.

Truck Bomb Found

Twelve days after the LTTE's massive bomb attack on the Central Bank and adjoining buildings, police found a truck with over 200 kg of high explosives concealed in the vehicle's fuel tank on 12 February in a Buddhist temple complex in Kotahena in Colombo. Buddhist monks often allow Sri Lankans to park vehicles on the grounds of temples for a small donation.

"The truck had been parked there for more than 20 days. A monk got suspicious and reported it to the police," said D.M.Dissanayake, a Deputy Inspector General of Police. The police kept the Sama Viharaya (Peace Pagoda) Buddhist temple under surveillance, but when those who parked the vehicle did not return, the army bomb disposal squad was called in.

Heavily armed policemen and soldiers cordoned off the area in Kotahena, a residential in Colombo north, and the bomb squad found 12 metal cases of high explosives concealed in a compartment that made up two-thirds of the fuel tank. Five metal cases were packed with ball bearings that could have scattered like shrapnel following an explosion. The explosives were so packed that only connecting wires had to be fixed onto the dashboard to activate the explosives.

The police subsequently claimed that thirteen persons, including the driver of the truck packed with explosives found parked in the temple premises had been arrested. The driver identified as Balakumaran was arrested at Vavuniya when he was attempting to make his getaway to Kilinochchi where the owner of the truck is reportedly residing. The truck owner's wife was also arrested at Vavuniya where she

was residing, police said. Eleven others, including have also been arrested Sidhadaran, the broker who made the arrangements for the vehicle to be parked at the temple premises.

Following the discovery of explosives-laden vehicles in Colombo, the army has intensified checks on large vehicles being taken from the Tiger-controlled north of the island to the south, and in many cases many of them have been turned back. In a statement datelined 14 February, the London headquarters of the LTTE said that Tamils lorries from the North that wanted to go south to bring essential food items and other consumer goods have been detained for the second day at the Thandikulam check point and have now finally been turned back by the Sri Lankan armed forces.

Weapons Find in Temple

Sri Lankan police, on 19 February said they had found a cache weapons hidden within the precincts of Buddhist temple at Narahenpita in the capital Colombo.

They found the arms comprising 16 hand grenades and two rocket-propelled grenades in a room at a Buddhist temple at Narahenpita, about six km (four miles) from the city centre on 18 February following information from a Tamil civil servant who was arrested 10 days earlier. The weapons were found in the temple room that the suspect rented when he was in Colombo, police said.

"He had been residing at the temple whenever he was in the city for the past 10 years," one officer said. Police identified the suspect as 56-year-old Dharmalingam Ramalingam, who works as an assistant labour commissioner.

Police said they believed the weapons belonged to the LTTE with which the suspect has had many years of close connection.

The CID took three of the temple's monks, who belong to the majority Sinhalese community, into custody, including its chief incumbent. It is the first time Buddhist monks have been taken into custody in connection with housing suspected rebels or rebel arms, the officer said, adding "We're not concerned whether they are Buddhist or Hindu or Catholic. Weapons have been found inside a temple and it is our duty to question the temple's occupants whatever their standing in the community."

Water Panic

Already tense after a Bank bomb, attack thousands of Colombo residents panicked (6 February)in response to wild rumours that the Tigers had poisoned the capital's water supply. Worried residents jammed the telephone exchange and hundreds of people rushed to police stations demanding information. State

radio and a private 24-hour news station broadcast announcements denying the reports.

"This is totally false. We continuously monitor the city's water supply and have not found any pollutants," said Sujeewa Bandara, an officer in charge of the water pumping station which supplies 80 percent of Colombo's water.

LTTE Arms Ship Sunk

A ship allegedly carrying arms and explosives to the LTTE and five other small craft belong to the Sea Tiger wing of the LTTE by Sri Lankan airforce planes and navy gunboats on Wednesday 14 February off the northeastern coast of the island, military officials said.

"The navy got intelligence about the arms ship on Tuesday. We detected the ship this morning and asked her to surrender but the Tigers refused," a military official told the press. Navy boats opened fire while air force planes bombed the vessel off Mullaitivu, 290 km (180 miles) northeast of Colombo, he added.

A military statement said the Tigers fired at navy boats and air force aircraft keeping the vessel under surveillance. "At this point it was noted that a few small boats approached the ship and some cargo was offloaded from the ship into the boats," it said.

"The navy and the air force took action to destroy this ship after giving due warning. A secondary explosion was also observed during this action." Military officials said they believed explosives on board the vessel had blown up. The Sea Tigers boats which approached the battle zone, 12 miles offshore, fired at and hit a Pucara ground attack aircraft but did not cause serious damage, the official said.

The air force and navy had stepped up surveillance after an airforce plane and fishermen reported seeing a ship surrounded by small craft off the southeastern Yala wildlife sanctuary on Saturday, 10 February.

Admitting that one of their ships had been sunk, Tamil Tigers in a statement from their London-based international secretariat said three of the crew died when their vessel was attacked. It also claimed that the Indian navy also joined the Sri Lankan forces in attacking the Tiger ship.

The LTTE statement said, "Yesterday (14 02 1996) early morning at 1 AM, Indian Naval ships and Sri Lankan Naval ships jointly attacked an LTTE ship that was sailing towards the Sri Lankan Naval port of Trincomalee along with Sea Tiger boats. This confrontation took place at the deep sea about 10 KM away from the Eastern coast line. The LTTE flotilla was on their way to launch attacks on Sri Lankan Naval vessels that were berthed within the naval port.

"The two Indian Naval ships that arrived on the scene played an important role in the attack on the LTTE flotilla in which the LTTE ship was destroyed. Three LTTE Sea Tigers were martyred in the attack."

However the LTTE's accusation of Indian naval participation was quickly denied by the Sri Lankan government, the Foreign Ministry in New Delhi and the Indian High Commission in Colombo.

Though there is no reliable evidence as to from where the LTTE was sailing, authorities in Colombo asserted that the illfated Liberian-registered vessel named Commes-Joux and containing a consignment of weapons and explosives set sail from Phuket, Thailand. They said Interpol and other international law enforcement agencies had tipped off Sri Lanka to the ship's intended cargo and destination.

Schools Closed

The Sri Lankan government on 14 February announced an indefinite closure of all schools in the country following the alleged LTTE threat of making 10,000 Sinhala mothers weep.

Schools in and around Colombo have been heavily guarded during the past few months and roads surrounding the schools have remained closed.

After a bomb blast at Newstead Girls School 14 February in Negombo, 23 miles north of Colombo though causing no damage, the government decided to take the action specially following concern of parents islandwide.

Last year, all schools in the country were closed indefinitely and public examinations were also postponed nationwide after the attack on Colombo's oil installations on October 22. All the schools were reopened on January 1 this year and examinations were subsequently held. But following the January 31 bomb blast which destroyed the country's Central Bank in Colombo and subsequent discovery of lorry loads of explosives, schools in the capital of Colombo were heavily guarded.

Targeting the LTTE Abroad

The government of Sri Lanka recently called upon foreign governments to crack-down upon the activities of the LTTE and its front organisations.

It has been the constant refrain of the Sri Lankan government that well organised branches and front-organisations of the LTTE operating in foreign countries, especially in western Europe, USA, Canada and Australia have been the international backbone of the Tamil Tigers in terms of propaganda, fund-raising and arms purchasing.

On 7 February, Sri Lanka's Foreign Minister, Lakshman Kadirgamar, briefed the diplomatic representatives of these countries on alleged LTTE activities such as extortion, fund raising and trading in illicit arms.

A press release issued by the Ministry said that member countries of the United Nations were obliged to cooperate in taking action against what it described as "international terrorism." According to the ministry, there were indications that front organizations of the LTTE in some European countries had been involved in activities supportive of terrorism in Sri Lanka. It alleged that the LTTE was seeking to undermine the government's efforts to find a political solution to the ethnic problem through negotiations.

In the meantime, the LTTE in an official statement has strongly refuted the charge of the European Union's Envoy in South Asia that the LTTE was having links with the mafia and organised crime.

On 6 February, Francine Henrich, stressing the European Union's solidarity with Colombo's efforts to seek a political solution to the conflict in the island, said there were indications the Tigers were involved in drug-running in Europe. Henrich was speaking to reporters after meeting Foreign Minister Lakshman Kadirgamar. She said police forces in member states of the EU had LTTE cells under surveillance but gave no details of action taken against the group.

In a letter dated 10 February, addressed to Mrs. Francine Henrich, Ambassador, European Union, the head of the political section of the LTTE, Mr.S.P.Tamilselvan, stated that her comment was "grossly misleading and highly slanderous." It added, "Your suggestion that the LTTE is linked to the Mafia and by implication drug trafficking is grossly misleading and highly slanderous to our organisation. We are deeply shocked to note that a highly responsible diplomatic representative of your stature could make such allegations without concrete foundation. We wish to state categorically that we have no links with Mafia nor are we involved in drug trafficking. These false allegations levelled against us by the Sri Lankan government to tarnish the image of our organisation and to discredit the Tamil strugglefor self determination.

"We wish to impress upon you that the primary task of our branch offices in Europe is to seek sympathy and support for the struggle of our oppressed people who are faced with genocidal oppression by the Sri Lankan state. Contrary to the malicious disinformation campaign by the Sri Lankan government, our branch offices strictly abide by the laws of the countries where they operate and do not in any way act prejudicial to the interest of those countries."

NO QUICK MILITARY OR POLITICAL FIX TO SOLVE CRISIS

From Rita Sebastian

Colombo is still reeling under the shock of the devastating bomb explosion in the city's financial centre on 31 January. 86 bodies have so far been recovered and over 1,400 injured. But, the number whose remains lie under the uncleared debris is still not known.

The damage and destruction to some of the country's leading commercial establishments is expected to run into billions of enpees.

Two of the establishments, the Caro Boat Despatch and Carson Cumberbatch belonged to two prominent Tamil families in Colombo.

One of the most heartening consequences of the blast was the extensive response of the public. The mile-long queue at the Blood Bank and traffic jams that elicited neither irritation nor impatience, was indicative of the public mood. It was a tradegy that united people.

The Opposition United National Party (UNP) was however, bitterly critical of the security arrangements in the city. Their argument was that the Government should have realised that following the capture of Jaffna last December by troops of operation "Riviresa", Colombo would be one of the LTTE's prime targets.

The blast has inflicted a terrible blow on the country's economy. A growth rate of 6% predicted for 1996 has now been revised to 4% and some pessimistic economists have put it at even 3½%.

Sri-Lanka cannot endure for long such severe setbacks in the midst of escalating military costs. The very economic and social fabric of society seems to be falling apart, and people seem gripped by a terrible fear psychosis.

The Hotel Galadari at the periphery of the explosion had quite a number of its 500 rooms disfunctional. And, the Ceylon intercontinental which is just a few yards away from the Central Bank, the prime target, has had to close down temporarily. The tourist industry already registering a decline has been dealt a further blow.

Although the opposition complained of security lapses the police pointed out how difficult it is to check every person and every vehicle in a city of a million people, with another million travelling into the city every day.

Some radical solutions are however being proposed. One among them being that all vehicular traffic to the Fort be prohibited and people either walk or cycle. For it is very clear that the city would continue to be a target whatever security measures are taken.

The bomb explosion has not deterred President Chandrika Kumaratunga from going ahead with the Government's political initiative. It has on the other hand strengthened her resolve to see the devolution package through Parliament. The UNP however remains ambivalent.

Even if the devolution proposals are passed by Parliament and later at a nationwide referendum, there is little likelihood of their being implemented on the ground, given the opposition of the LTTE.

Some members of the opposition feel it a futile exercise if the proposals cannot be implemented, and therefore ask the question why the Government should drag the nation through a traumatic and prolonged public debate.

The UNP does not want to alienate the Tamils and the Muslims on whom it has been historically dependent and would therefore be happy if the proposals are shot down by the more militant Tamil parties or other hardline factions among the Sinhalese.

Sri-Lanka is once again in the midst of crisis. There is clearly no quick military or political fix.

The Government however is looking to the international community to help in curbing the activities of the LTTE in the western capitals, from where most of its funding comes.

In her policy statement at the opening of Parliament on 9 February President Kumaratunga, in her usual forthright way, called on the international community "to take action against the LTTE and its front organisations wherever they maintain offices, collect funds and engage in acts including trade in illicit arms and persons, drug trafficking and carry out their propaganda war against the Government."

What the President was in fact saying, was that condemnation of the LTTE is not enough, but that the international community show some tangible manifestation of that condemnation.

"We do not make it as a request from a friendly country but as members of the United Nations, seeking the fulfilment of our obligations to co-operate in taking collective action against the perpetrators of terrorism, in terms of international norms and obligations" the President said.

Most of these countries unfortunately have no real interest in Sri Lanka as they did in the Middle-East, former Yugoslavia or Northern Ireland to facilitate a peace process.

Sri Lanka is ultimately left to cope with her own problems with more and more people disillusioned of an early resolution of the on-going conflict.

"WE WILL TAKE JAFFNA SOON" - SAYS KARIKALAN

Karikalan defies public opinion of a guerrilla leader in that he looks neither fierce nor threatening. A medium built man in his early forties or late thirties with a dusky complexion, he affects a placid manner with an ever ready smile. He looks you directly in the eye. The only telling evidence of his being a militant are his two body-guards sporting rifles cocked and ready. Karikalan too has an automatic in his waist.

In an interview with The Sunday Leader, the first of its kind given to a local national newspaper, the LTTE leader V Prabha karan's deputy and head of the Political Wing Karikalan vowed to recapture Jaffna and said that the LTTE will not lay down arms as long as the military forces remain inside the peninsula and until the full aspirations of the Tamil people are met. The following is the full text of the interview:

Sunday Leader: What is your current position in the East?

Karikalan: We have recaptured large areas of Batticaloa from the government forces. We undertook two major offensives in Tharavai and Kattumurivu. Kattumurivu was very difficult since there were 300 Special Force commandos, an elite trained group. We managed to dismantle them and confiscate most of their arms and ammunition. We control 80% landmass of Batticaloa but only 20% is in military hands.

SL: Why did you fail in Operation Riviresa?

K: We are a guerrilla group of minority Tamils and the government military strength is 50,000. They were engaged in artillery shell attack followed by aerial cover with scant regard to civilians. At least 500 civilians died in the operation. It would not have been difficult for us to counter them with the same tactics. But, we knew our strength and we did not have enough cadres to fight them head-on. We decided to save our cadres and retreat rather than lose them. We also did not want to inflict casualties on the civilians. Therefore it was necessary to retreat

rather than cause civilian mishaps.

SL: Could you say that none of the civilians suffered because of your offensive against the military?

K: As far as we know, we took precautions to avoid civilian casualties.

SL: How come you managed to thwart Operation Leap Forward?

K: Then we were stationed around all the military camps. This time we wanted to allow the forces to converge into Jaffna and then launch our attack. Still we have not given up. Now the time is almost ready for re-capturing Jaffna since there are no civilians. We don't have to worry about civilian casualties.

SL: What was your loss in manpower during Operation Riviresa?

K: We lost less than 500 cadres.

SL: Are you confident that you will re-capture Jaffna?

K: Now Jaffna is easier to re-take. We are not allowing any civilians to return until we do so.

SL: Did you shoot down the M1-17 helicopter last week?

K: Yes, we did. The chopper was retrning from Palaly to Vettilaikerni when we shot at it and we have claimed responsibility.

SL: How many aircraft have you shot down and have you claimed responsibility for them?

K: (Declining to give the numbers) The ones we brought down we have claimed responsibility for.

SL: Batticaoloa residents complain that you place bombs in town with scant regard to civilian casualties. They say that in Puthukudiyiruppu you attacked a bus in which the armed forces were travelling in along the civilians. What have you go to say?

K: That is not true. We never place random bombs in town. Regarding the bus incident we first shot at the tyres and the army was the first to fleet. We shot at them. We never injured civilians. Then we sent out own suicide bombers - never civilians - to attack sentry posts and army targets. But, we always make sure civilians are safe.

SL: Are you responsible for Tuesday's discovery of two bombs in a bullock cart outside Eastern University in Vantharumullai?

K: We certainly did not place them. This could very well be the work of other former militant groups or the forces. This is mainly to discredit us and veer public support away from us.

SL: Have you received the President's legal draft of the devolution package? (The Sunday Leader offered Karikalan a copy of the legal draft which he summarily dismissed).

K: No, the Government did not send it to us nor are we interested. We did not expect her to send it. When she became Prime Minister she sought LTTE support to make her President through promising to address Tamil grievances and conceded that we are the sole representatives of Tamils. In pre-election speeches before the Presidential elections, she told us, "I am a widow and Batticaloa has 10,000 widows. I know their feelings. I am only the Prime Minister and hence I have no jurisdiction over the forces. But, if you support me in the coming elections I will fulfill all your legitimate demands."

She became President and she is dancing to military tunes. Even Gamini (Dissanayake) said she was playing with fire in playing the military tune.

SL: Do you think the Government is genuinely interested in solving the ethnic issue?

K: The Government is fully aware that the LTTE is essential if there is going to be a solution to the ethnic issue.

Since the LTTE is not consulted we don't believe Chandrika is interested in bringing a solution to this problem. She has the full backing of India in prolonging this and India cannot manipulate Sri Lanka if the ethnic issue is solved. We also had a forward-thinking agenda for Tamils' sake and we completely trusted her.

SL: Then why did you initiate the breakdown of the truce agreed upon by both parties on 19 April?

K: We asked Chandrika for a ceasefire. But, she agreed to a cessation of hostilities. We too agreed. We reiterate that she must notably settle three fundamental problems affecting the Tamils; namely the opening of Poonahari Causeway for free passage to the civilians, lifting of economic embargo and allowing our cadres to carry arms in the East to protect them from armed forces and other Tamil armed groups.

Unlike Chandrika, our leader Prabhakaran always keeps his word. We always listen to him and obey his orders without question.

When we asked for the day-to-day Tamil grievances to be rectified, she talked of rehabilitation which is a long-term goal. Ostensibly two generators were sent to Jaffna but no cables or wires to set them up. This showed the government's mala-fide intentions. They were not genuine.

SL: If the devolution package was given to your through a mediator, are you prepared to study it?

K: No, The government should talk to us directly. We will not discuss this package and we do not know what it contains. Chandrika has talked to all Tamil political parties and ignored us. Earlier they said we are the sole Tamil representatives.

SL: Are you prepared to join hands with other Tamil political parties?

K: No. We have a genuine ideal. If they want to join the LTTE on our terms they are welcome. But, these political parties are sucking up to the Government. They are picking up the bones falling from her table. But, EROS has joined the LTTE and fighting with us. The others too can follow suit.

SL: Are you at least prepared to scrutinise the proposals?

K: Why should we? As I said earlier, first they must remove the military from Jaffna. Then they have to directly offer us the proposals for study. Even this has to be conducted through a foreign mediary acceptable to both the Government and the LTTE. They cannot hold us captive and force the proposals on us. We will not have this. First they have to create the right atmosphere. Then we may consider it.

Courtesy: Sunday Leader, 28.1.96).

Colombo Schools Urged To Admit Displaced Pupils

The North-East Region Schools Past Pupils Federation (NERESPAPF) was formed on 15 January 1995, by the representatives of past pupils associations of schools in the north-east region. The federation conducts meetings to discuss the ways and means of helping displaced students of schools in the region to continue their education with minimal interruption.

The objectives of this federation are to work for the betterment of the north-east schools, to foster fraternity among the students, to work for the continuity of education in the region, to assist students to take up public examinations and to rase funds to support the Government and the NGO's.

The NERESPAPF says that the recent violent confrontations have accelerated the gradually declining standard of education in Jaffna. Recent information on students has revealed that of 200,000 students in the area, 108,000 are displaced. The federation believes that if the problem of shelter for the displaced people is settled, children will be able to attend school regularly in most areas.

The federation says, "Government as

(Continued on next page)

THE DRAFT CONSTITUTIONAL PROVISIONS RELATING TO POLITICAL DEVOLUTION

by Dr.S.Narapalasingam

The devolution proposals of the Government were published on January 16 in the form of Draft Constitutional Provisions. There are some significant changes from the original draft proposals announced on August 3, 1995. Some Tamil groups have already expressed reservations on the amendments. From the Sinhalese side, those sections which opposed the original proposals have commenced a campaign to oppose the government's devolution proposals.

The proposals will not satisfy both the Sinhalese and the Tamils who want to stick to their extreme positions. These are:

(1) According to the Sinhala oppositionists, the central government should retain controlling powers over all the regions in all major spheres - law and order, economy, state land, socio-economic development, territorial waters, education, social and economic infrastructures, and colonisation. Any re-demarcation of regions and devolution of powers on ethnic basis are construed as aiding the eventual separation of the country; and

(2) The Tamil oppositionists say that the centre should devolve powers extensively to a merged North-East region to enable the people there to live in safety and security in what they regard as their traditional homeland and to promote social, economic and cultural development according to their aspirations free from the dictates of a central government, which under a centralised governing structure will be obliged to promote the welfare of the majority Sinhalese at the expense of the minority Tamils.

The LTTE rejected the original political proposals, and there is little hope that the government's latest devolution proposals will receive the LTTE's acceptance. It is engaged in an armed struggle for the creation of a separate state of Eelam in the North-east as the only means of solving the ethnic congflict. On the other hand, the Sinhala extremist position as represented by the Sinhala Arakshaka Sanvithanaya does not recognise the existence of an ethnic problem in the island, and is based on the principle of "One Country, One People and One Nation".

The basic premise of the government's approach is a recognition of the existence of an ethnic problem resulting from accumulated Tamil grievances which have not been resolved by successive governments and the devolution proposals are a means of addressing that problem. Implicit in the proposals is the rejection of the notion of a separate Tamil state as a means of solving the problem. However, they fall in line with that body of opinion within substantial sections of Sinhalese and Tamils which holds the view that a substantial degree of autonomy accompanied by foolproof constitutional guarantees and safeguards would be adequate to resolve the problem and render the demand for a separate state irrelevant and unnecessary. In fact, even the LTTE has on many occasions voiced the view that they would be prepared to consider an alternative package that satisfied Tamil aspirations.

The statement issued by the Maha Sanga at the meeting of Buddhist monks held on January 26 to discuss the amended devolution proposals is more conciliatory than any of their previous pronouncements. It notes: "We, the Maha Sanga, should not be extremist in thinking. The path of deliverance taught by the Lord Buddha to us is a middle path. In the present grave situation, we must conduct ourselves thoughtfully and with a keen sense of responsibility". This is a positive step since the political parties depending on the popular support of Sinhala Buddhists need not be compelled to reject the devolution proposals solely to be seen as following the instructions of the Buddhist prelates.

Underlying Principles

The Minister responsible for Constitutional Affairs Prof. G.L.Peiris, has listed six principles on which the PA Government's solution to the ethnic problem is based. Briefly, these are:

(1) All communities to live in safety and security, with their human dignity valued and treated equally in public life;

(2) All communities to have the space to express their distinct identity and promote that identity, profess and practise their own religion, and nurture and promote their own culture and language, including the right to transact business with the State in the national language of their choice;

(3) All persons to be able to fully and effectively exercise all their human rights and fundamental freedoms without any distinction and in full equality before the law;

(4) Sinhala and Tamil to be the official languages with English as a link language;

(5) All communities to be able to participate fully in the life of the nation at the national, regional and local levels and thereby to be constructive partners in a stable and pluralistic democracy; and

(6) Ruling powers to be shared with the regions based on internally consistent and coherent value system under a constitutional arrangement which is unambiguous and capable of effective implementation with structures for the just and equitable resolution of centre-region disputes.

The first five principles are not specific to a decentralised system as these can underpin any constitution of a truly democratic multi-racial country. The sixth principle (which in the Minister's list is fifth) is the one that is specific to the system that is based on political devolution. The ambiguity here (probably it is intentional for political reasons) is striking and obviously a cause for concern to the Tamils. There is no reference to the aspirations of the Tamils, particularly with respect to the inalienable right to run their own lives in the contiguous areas of the North-East where they have been living as the majority community for centuries. The phrase "internally consistent and coherent value system" can be interpreted in different ways.

Preamble to the Constitution

The underlying principles are impor-

(Continued from page 9)

ning the hearts and minds of the Tamils, especially the people of Jaffna, cannot be justified in their own conscience or elsewhere if the basic needs and the Tamil man's most valued education are not adequately looked after during the period prior to the eventual return of displaced persons to their respective homes".

The NERESPAPF requests the Government to temporarily take in the displaced children into schools in Colombo and maintain a separate register until schools in the north begin to function regularly. They say this can be done as it had been arranged earlier.The federation considers conducting examinations in another area that needs urgent attention. They say, according to their observations several University and other examinations conducted in the North are in the process of being expedited.

"The problem of children's education is closely connected to the resolution of the ethnic problem and termination of violent confrontation," the NERESPAPF said.

tant to interpret and implement the various provisions in the constitution in good faith aimed at removing the causes that led to the Tamil revolt and ensuring lasting peace in Sri Lanka. In the light of past experiences with the biased interpretation and shortcomings in implementing the constitutional provisions, including the non-implementation of laws enacted under certain provisions, the need to mention the principles in unambiguous language in the preamble is imperative. Its importance is no less than the provisions themselves. The clauses, "Wherein peace and fraternity between all communities shall be secured and provision made enabling all communities to enjoy and nurture their distinct culture, practise and promote their own religion and promote their own language, thus preserving the rich cultural and ethnic diversity typifying a plural society" and "inspired by the vision of a nation where all communities can co-exist in safety, security and contentment" in the preamble of the legal draft, although laudable, are inadequate to meet the stated requirement. In particular, there is no reference to the protection of the independent rights of the minority communities which they are entitled to exercise under a devolved regime in the contiguous districts, where the resident population consists largely of Tamils or Muslims. Importantly, any forcible alteration of the ethnic composition of regions and their boundaries by the centre in defiance of the wishes of the regional councils as well as "ethnic cleansing" by the regional councils should be barred by the constitution.

A significant advantage of including such principles in the preamble is that the need to elaborate and to explain the intentions of critical terms used in the relevant provisions can be avoided. This need stems from the lack of trust between the communities and the suspicion arising therefrom that the interests of each community will be compromised or ignored later. In fact, if there is complete understanding and trust between the communities, there may not be a need for "a constitutional arrangement which is unambiguous" and capable of effective implementation according to the intended principles agreed initially by all the communities. This raises an important question as to whether the present time is right for discussing objectively the draft constitutional provisions relating to political devolution when the wounds inflicted by the bloody conflict are still fresh and deep. Despite the commitment to a political settlement, the Government has so far not taken any meaningful steps to win the confidence of the Tamil people. On the other hand, the LTTE and the Government by intensifying the war after the collapse of the last peace talks have only poisoned the climate needed for rebuilding the trust. The absence of trust is evident from the kind of criticism of the devolution proposals coming from even the so-called moderates.

Some Observations

In the original package, it was stated that "One of the regions would be constituted by re-demarcating the existing boundaries of the present North-East Province in full consultation with a view to reconciling Sinhala, Tamil and Muslim interests". In the revised package, there is no specific reference to the creation of a North-East region. But a general statement "The territory of the Republic shall consist of Regions, the names, boundaries and area of which are set out in the First Schedule..." appears. As the First Schedule has not been published, it is unfair to jump to the conclusion that a merged North-East region in whatever form has been ruled out. It is not helpful to speculate on the reason for this omission at this stage. In the absence of trust, it may be difficult to avoid being suspicious of such a major change. In fact if suspicion is allowed to cloud the examination of the proposals presented in the legal form, almost every key word used can be objected. This is not the intention here and such a scrutiny is best left to the legal experts. With regard to the unit of devolution, such unresolved issues are probably left to be settled through negotiatioms.

In the original proposals, the Governor of a region can be removed by the President. This has been amended now so that the President can remove the Governor only on the advice of the concerned Regional Council. The grounds on which such an advice can be given and the procedure for this have been elaborated. Hence, this is an improvement in that the President cannot unilaterally and without valid reasons remove the Governor. Similar improvements are seen in the legal draft relating to Chief Minister and the Board of Ministers. In particular, sub-paragraph 14(7)(b) sets out when the Chief Minister is deemed to have resigned.

Sub-paragraph 20(1) states "There shall be a Finance Commission consisting of - three members representing the three major communities.....appointed by the President on the recommendation of the Constitutional Council." Such a balanced representation would be desirable for the Constitutional Council itself. The duties of the Commission have been spelt out in some detail. For example, in sub-paragraph 20(5) the Commission is expected to take into account (a) the population of each Region; (b) the per capita income of each Region; (c) the need, progressively, to reduce social and economic disparities; and (d) the need, progressively, to reduce the difference between the per capita income of each Region and the highest per capita income among the Regions in formulating principles for the allocation of funds to the different Regions from the annual budget of the Central Government and the sharing and/or assignment of revenue between the Centre and the Regions. While appreciating the good intentions that prompted setting out the guidelines for the Commission to make recommendations, which cannot be challenged even by any court or tribunal, some practical problems have been overlooked. First, there is no single definition of income and probably what is meant is the gross income generated by the economic activities within Regions. In this case, transfer incomes from outside will be excluded. Similarly, revenue can be defined in different ways e.g. current receipts only, current and capital receipts, total domestic revenue including loan repayments by regions etc. If foreign grants, development assistance and loans of Central Government are excluded, then the Finance Commission has no right to make recommendations regarding their allocation to the Regions. With regard to project aid, the selection of projects and their location will also be the prerogative of the Government. Second, reliable estimates of the various indicators that must be used by the Commission to perform the assigned duties as specified in the constitutional provision must be available annually. Under which provision will the statistics be made available promptly and does the constitution prohibit [Sub-paragraph 20(8)] any query about their reliability?

The control over State Land is a sensitive subject, and the devolution of powers relating to its utilization is an important aspect of the entire package. The control retained by the Government is in respect of those cases when the land is required for the purpose of a reserved subject. But according to sub-paragraph 24(3), the exercise of this right of use by the Government requires prior consultation with the relevant Regional administration. It is unclear in what form this consultation will take place and what will happen if the relevant Regional Council objects to the proposed use of the land by the Government. In this regard, the clause in this sub-paragraph viz. "...the Regional administration shall comply with such requirement", needs clarification. The same applies to the clause in sub-paragraph 24(2) viz. "....in accordance with applicable laws". Can the Regional Councils entitlement to

exercise the rights in or over such land be restricted by any changes to the applicable laws?

Sub-paragraph 26(1) (which is not in the original package) states -"Where the President is of opinion that the security or public order in a Region is threatened by armed insurrection, or grave internal disturbances, or by any action or omission of the Regional administration which presents a clear and present danger to the unity and sovereignty of the Republic, he may make a proclamation bringing the provision of the law relating to Public Security into force in the Region." The room for abusing this provision for reasons other than real threat to internal security and public order is evident from the stipulation "by any action or omission of the Regional Administration". The President's opinion here is sufficient to make the proclamation and to deploy the armed forces or any unit of the national police service in the region - sub-paragraph 26(2). Unless there is a separate Tamil regiment in the national army (President is reported to have agreed to such a formation earlier), the deployment of regiments consisting largely of Sinhalese soldiers in the North-East region is bound to be resented by the people there. It will be perceived as a deliberate hostile act against the people, especially when the claimed threat to the security and public order is not serious or real.

Sub-paragraphs 26(4)(a), (4)(b), (4)(c), (4)(d), (4)(e) and (4)(f) (**not included in the original proposals**) deal with the circumstances in which the President can dissolve a Regional Council by a Proclamation, which "shall not be questioned in any court and no Court shall inquire into or pronounce on, or in any manner call in question such Proclamation or the grounds for making thereof". The provision to refer the circumstance or circumstances that led to the Proclamation to a tribunal, constituted by the Centre and the concerned Regional Council acting in consultation with the Chief Ministers Conference, each appointing a member to the tribunal is not obligatory. Sub-paragraph 26(4)(d) states "the President **may** within fourteen days of his making a Proclamation ..... direct a tribunal constituted in the manner provided for in sub-paragraph (e) of this paragraph to inquire into and report upon such matters within a period of sixty days". The next sentence too, implies that the President is not obliged to accept the finding of the tribunal even if it does not justify the Proclamation remaining in force. Although, under sub-paragraph 26(4)(c) every Proclamation made under the Article must be laid before Parliament and its approval obtained by a resolution (simple majority is implied) before 14 days from the date of the Proclamation, this proviso may not be adequate to prevent the power being misused against the minority Tamils.

In respect of Finance, the revised Devolution Proposals prevent the Regional Councils from levying taxes on wholesale and retail sales (other than sales by manufacturers) and all such taxes shall be levied and collected by the Government of Sri Lanka. Accordingly, Turnover taxes on wholesale and retail sales (item 35 in the earlier Regional List) are excluded in the revised Regional List. The collected taxes shall be assigned to the Regions in that year according to the "principles of apportionment as may be formulated by the Finance Commission" - sub-paragraph 27(5)(b). Excise duties as may be prescribed by the Finance Commission shall be levied by the Government of Sri Lanka but collected "by the Regions within which such duties are respectively leviable" - sub-paragraph 27(4)(a). Other taxes on sales or income shall also be levied and collected by the Government - sub-paragraph 27(6)(a) - and distributed among the Regions within which tax is leviable as prescribed by the Finance Commission - sub-paragraph 27(6)(b). The powers of levying taxes and fees by the Regional Councils are limited to: (i) Specified (?) excise duties; (ii) Betting taxes and taxes on prize competitions and such other lotteries to be specified; (iii) Motor vehicle licence fees ; (iv) Stamp duties on transfer of immovable properties and motor vehicles; (v) Fines imposed by courts; (vi) Court fees including stamp fees on documents produced in courts; (vii) Land revenue; (viii) Taxes on mineral rights; and (ix) Fines in respect of the matters in the Regional List. Since all major sources of income from taxation are included in the Reserved List - items 13 to 16, the funds received annually by different Regional Councils will depend crucially on the criteria used to allocate these major revenues between the Government and the Regions as well as between the Regions. Assuming that a fair and inviolable distribution method acceptable to all will be applied faithfully year after year, one advantage is that there will not be any need to have customs checks and records of goods crossing regional borders under a common taxation regime.

The responsibilities of the Chief Ministers Conference are set out in sub-paragraph 29(3). These include the settlement of any dispute which may arise between regions. The method of settlement as indicated in sub-paragraph 29(4) is through mediation and conciliation. The importance given to rebuilding trust and reconciliation can be appreciated here. The specified method, which although sensible requires for its efficacy willingness to understand others concerns and problems and to give and take. The provision does not specifically state that the settlement of any dispute requires unanimous approval of the Conference on the problem-solving formula. The Minister in his commentary on the devolution proposals mentions: "when questions of legality arise, involving interpretation of the Constitution the jurisdiction of the Supreme Court - the principal arbiter on matters relating to the Constitution - will necessarily supersede that of the tribunal set up" under sub-paragraphs 29(5), 29(6) and 29(7). First, the relevant paragraph is not explicit about unresolved disputes that should not be referred to the tribunal but to the Supreme Court. Obviously, in such cases even the Chief Ministers Conference cannot adjudicate. Second, the Minister observes - " If the interests of even handed treatment are to be fully served, the referral of such disputes to a judicial entity, whose independence is assured by the Constitution is preferable". The use of the word preferable suggests that disputes involving interpretation of the Constitution can also be resolved by a non-judicial body, which in this case is the Chief Ministers Conference itself or the tribunal referred to earlier. Since under sub-paragraph 19(4)(c), the Regional Attorney-General is duty bound to invoke the jurisdiction of the Supreme Court to determine the constitutionality of Statutes passed against his advice, it seems that all major disputes may be referred first to a similar body consisting of all the Regional Attorney-Generals.

The crucial requirement for ensuring that all constitutional provisions are interpreted correctly and adhered to in the life of the nation is not merely the assurance of the complete independence of the Supreme Court but the existence of foolproof procedures for constituting it and making it function without even any indirect interference. It is relevant to point out here that the independence of the judiciary has been assured in all the past and current constitutions of Sri Lanka. The full independence of the judiciary must also be seen to exist beyond the slightest doubt.

In the original Regional List of subjects and functions, item 6 is "Fisheries". In the revised list, a proviso is added which excludes "rights relating to traditional migratory fishing". This is now included in the Reserved List in item 17, along with fishing beyond the territorial waters.

International borrowing subject to a specified limit (above this limit would require the concurrence of the Centre)

was a devolved subject (item 31) in the original schedule. In the revised schedule, more restrictive conditions are laid down as seen in item 31 of the Regional List, in which it is stipulated that "international borrowing shall be subject to such criteria and limitations specified by, and would require the concurrence of, the Centre". It is relevant to note that item 8 in the Reserved List reads "Foreign loans of the Government of Sri Lanka", which would include foreign loans of the Regional Councils guaranteed by the Government but not their other foreign loans approved by the Centre.In practice, Regional Councils may not be able to raise foreign loans without Government guarantees. The principle behind the conditions placed on the latter is understandable but the concern here. as in other cases cited in this paper, is whether these will be misused to discriminate against a particular council.

While item 25 in both the Regional Lists relates to Regional Police and law and order. in the revised Regional List a new item has been added (item 45) viz. "Law and order to the extent provided in Chapter III". Sub-paragraph 25(4) is particularly relevant here. Attention is drawn to "any offence prejudicial to national security or the maintenance of essential services" which cannot be investigated by the Regional Police Service. The worry here is the leeway available to arbitrary interpretation of this restriction that would permit the Centre to unjustified interference in regional matters. Administration of Justice within a region is the other new item (No.46) added to the Regional List.

New items in the Reserved List include, Educational publications (item 61) and Industrial Development (item 62). Both are important to satisfy the aspirations of the Tamils. Since these are not devolved subjects, the North-East Regional Council has no powers to publish Tamil text books for use in schools and universities. It could even be interpreted to exclude the publication of a range of materials, including analytical and research studies. Industrial development in the North in particular has been neglected over the past several decades as a result of discriminatory policies. The key to the development of the North-East region lies in setting up industries that can utilize the highly motivated and skilled work force there. It may even be stated that this is vital to ensure lasting peace in the long run by providing openings for the new entrants to the labour force, who will be leaving the colleges, universities and vocational training centres with various qualifications. If the Government's concern is that the regions should not have the power to establish industries capable of producing lethal weapons or other harmful products, conditions to this effect may be stipulated.

While pointing out some of the concerns (not claimed by the writer to be comprehensive) in the draft constitutional provisions, the importance of ending all hostilities and rebuilding trust between the different communities in Sri Lanka is also stres- sed. Without these measures any attempts to convince the people of all communities of the wisdom of accepting the "middle path" proposed through the devolution proposals may not suceed. The approach to a political settlement of the conflict should not be similar to putting the cart before the horse. ●

Devolution, the Bank Bomb and the Dilemma of Tamil Parties

By D Sivaram

The Chandrika government which thought that it was almost on the verge of successfully pushing its devolution package through Parliament and a national referendum seems to be less sure of itself in the aftermath of the tremendously destructive attack on the Central Bank of Sri Lanka in the business hub of the city. Its post 'Bank bomb' troubles have been further compounded by the changing attitude of the Tamil parties towards the legal draft of the political package presented by the government early this year.

First, the 'Bank bomb': The military dominance achieved by the Sri Lankan security forces in the Valigamam division of the Jaffna Peninsula has been portrayed in a manner which inevitably created an impression among many Sinhalese that their armed forces had ultimately defeated the LTTE and re-established complete control in the north. The impression seemed to be so strong that a cabinet minister was puzzled when the large air force M1 17 helicopter was shot down by the LTTE between Pt Pedro and Vettilaikerny. "How is it possible at all for the Tigers to shoot down a helicopter if the forces have won the war in Jaffna", he asked an acquaintance in the fourth estate when he heard that the missing helicopter had most probably been shot down by the Sea Tigers. The euphoria and elan of the Jaffna victory were dashed to the ground when the magnitude of the destruction caused by the bomb became known.

That the Tiger, whose backbone was assumed to have been smashed, as it were, by the Sri Lankan army, could strike with such ruthless and destructive ferocity in the very heart of the city which is also a very high security zone, has visibly shaken the Sinhala people. This is bad for the government at this critical juncture. It has got a devolution package and what it needs is a clear strategy for implementing it, ready at hand. The euphoria over the victory in Jaffna among the Sinhalese was necessary in a way for Chandrika to establish the regional councils without much opposition. Granting the Tamils anything under any other circumstances would have met with cries of treason - that the rights and well being of the Sinhala nation have been bartered away by a government afraid of or duped by the Tigers.

Following operation Riviresa, Chandrika was on very strong footing. She had demonstrated her commitment to really defeating the Tigers by relentlessly conquering Jaffna. No one therefore, could question her bona fides as a true Sinhala leader. Hence the clamour of the ultra nationalist Sinhala groups and political parties was largely bound to go unheeded by the masses in the south. In the aftermath of the victory in the north the Sinhala masses, it appeared, were ready to repose their confidence in her PA government on the question of solving the problem. For the average Sinhala person a leader who had given the Tigers a ruthless beating in Jaffna, could not easily compromise their interests in granting autonomy to the minorities. The Central Bank bomb may soon undermine this confidence which is an indispensable ingredient in the strategy for putting the package in place, that is making it constitutional. The growing disaffection of the ex-militant Tamil groups in Colombo with the tardy progress made by the government in moving the package through the Parliamentary Select Committee (PSC) has thrown another spanner in the works.

Most Tamil politicians are privately or publicly sceptical about the political package placed before them by the government. At one extreme of the Tamil political spectrum is the CWC which would still insist (as they did at a meeting with the President) that the civil administration of the northeast should be handed over to the LTTE for five years in order to create a climate conducive to implementing the package.

At the other is the TULF which seems

generally inclined to accept the proposal in any form as long as it is a 'substantial' improvement on the 13th amendment to the Constitution. The TULF, it should be pointed out here, took up the position in the beginning that it would reject the government's devolution package if it were to be watered down before it (the package) was finally handed over to the Parliamentary Select Committee for perusal. However, now it is obvious that the TULF leadership has had second thoughts about being stubborn about certain issues which it once considered non negotiable. Mr Anandasangari's recent interview with the BBC made this quite clear. A section of the party's leadership seems to think that if the Tamils put too much pressure on the government, particularly on matters which are of quite a sensitive nature in the south, then it may make matters so difficult for Chandrika that she won't be able to do anything at all on the question of devolution. This of course doesn't mean that the whole party is of the same opinion. The three TULF members of Parliament from Batticaloa are quite pessimistic about the outcome of the government's effort to solve the ethnic problem. The most influential and most senior of the three, Mr Joseph Pararajasingham makes no bones about what he feels about the package. The only difference between the PSC set up under the UNP to find a consensus on a devolution package and the present one under the PA is that there are fewer members in the latter. Otherwise it is going to be the same rigmarole, producing nothing at the end", he said recently at a small gathering of friends. Dharmalingham Sidharthan (leader of PLOTE) and Douglas Devananda who were present did not disagree.

The ex-Tamil militant groups have recently formed a broad alliance with a view to negotiating the package with the government and the UNP and other Sinhala political parties and pressure groups. These groups have the following concerns in mind in responding to the package - concerns which distinguish their mindset vis-a-vis any political solution to the Tamil problem:

(a) Their continuing allegiance to the Thimpu principles.

(b) That they gave up their armed struggle for a separate state for the Tamils, promising their cadre and the Tamil people an honourable solution in the form of substantial regional autonomy instead.

(c) That more than eight years have gone by and they have not been able to deliver not an iota on the promise they made.

(d) That as a result they are losing credibility among the Tamil people of the northeast and with it their image and legitimacy as 'guardians' of Tamil national interests.

(e) That this stage of affairs has led to a gradual deterioration of their cadre and given rise to deleterious internal dissension which some believe is secretly fanned by sections of the government's security establishment.

Under these circumstances the ex-Tamil militant groups, especially the ones in Parliament, are vulnerable to criticism here and abroad that the government is ultimately counting on them to impose a thoroughly watered down package on the Tamils. In fact this has already compelled some leaders to reaffirm their commitment to the fundamental principles of what they continue to see as the Tamil cause. According to a prominent member of the New York Thamil Sangam Mr Devananda had done precisely this while he was in the US. This criticism has also had another effect. It is the historical parallel - that Chandrika's political career shows every sign of following the same trajectory as that of her father. That Mr SWRD Bandaranayake began his political life by arguing the case for a federal form of government for the island in the 1920's to become, thirty years later, the first Sinhala leader to declare Sinhala as the official language in 24 hours is a story which is often heard now in Tamil circles which have begun to question the government's ability to implement a proper package at all. The parallel is being drawn so often today that even some prominent Tamil political leaders in Colombo find it hard not to harp on it in expressing their growing disaffection with the manner in which the government is handling the package.

The attitude of the ex-Tamil militant groups towards the package was made quite clear in their joint statement where they have complained that even some powers granted to provincial councils under the 13th amendment have been taken away from the proposed regional councils. The Indian government, however, is quite keen to see that the proposal is implemented without much hassle particularly from the Tamil side. The Indians are well aware of the position taken by the ex-Tamil militant groups in recent months, that this proposal is the last opportunity which they may have to solve the problem amicably within a united Sri Lanka. "If this fails we would only have proved to the Tamil people that the LTTE was right all along" said the leader of a Tamil group.

The Indian High Commissioner recently met the leaders of the PLOTE and the EPRLF separately to emphasise the need to facilitate the process of finding a reasonable consensus on the present form of the package. He was referring to the joint statement on the package issued by the EPRLF, PLOTE, EROS, and TELO last month. The HC's point was that the Tamil groups should do the needful politically to pull the package through rather than raising "emotive issues" such as the national flag and the status granted to Buddhism at this juncture and getting bogged down in controversy. However, unlike a section of the TULF leadership in Colombo the ex Tamil militant groups continue to be quite sceptical and even chagrined at the manner in which the government seems to be dealing with the question of the devolution package. This is also a thorny issue which may hamper efforts on the part of the EPRLF, EROS, PLOTE, TELO and the EPDP to form a broad Tamil front by bringing the TULF into the alliance (The TELO and the EPRLF paved the way for the EPDP to joint the alliance. (The TELO and the EPRLF paved the way for the EPDP tc join the alliance by withdrawing their appeal against the court verdict on the Jaffna elections).

The TULF is quite irked by the view of the ex-militant groups that it is deliberately desisting from criticising the modified version of the package because Dr Neelan Thiruchelvam is closely involved with the government in its deliberations and strategies on the Tamil question in general and devolution in particular. The implication of this view held and propagated (through some publications) by the Tamil groups is that the TULF is selfishly preparing the ground 'once more' for compromising the common Tamil interest.

Mr A Thangarhurai, MP of the TULF, said that this was quite preposterous and deplorable in view of the fact that his party has mainly been at the receiving end of virulent attacks by Sinhala nationalist groups since the package was made public and that some of his Tamil colleagues in Parliament have taken to condemning the package without carefully studying it. He reflected the Indian HC's view that the process should not be scuttled halfway by prematurely raising certain issues such as the unit of devolution and thereby pushing the government into a tight spot as it were.

However, despite all this the Tamil parties and groups have not come to grips with the question of implementing the package ultimately. Any form of devolution which purports to even slightly improve on the quantum of autonomy granted under the thirteenth amendment to the constitution has to be ratified by a two third majority in Parliament and approved by the voters of the country at a national referendum. The UNP will not hand over its minor-

(Continued on page 15)

THE EXODUS FROM JAFFNA - Part II

October/November 1995

The following is the text of the Special Report No.6 dated 6 December 1995 by the University Teachers for Human Rights (Jaffna) :

(Continued from last issue)

The Closure of Jaffna Hospital

The final act in the closure of Jaffna Hospital is another of those painful episodes in the history of the Tamil people that deserves to be meditated upon with sympathy, trying to imagine oneself in the shoes of a handful of doctors and a few dozen individuals called upon to make agonising personal decisions. Apart from problems of medical ethics in such extreme situations as the country had not faced before, it also raises some questions about the role and obligations of the ICRC as an institution.

In the first few days that followed 30th October, the LTTE, as pointed out, had made its intentions clear. Soon after the announcement some surgical equipment went missing, and the authorities had to place some new locks. The LTTE was brazenly flouting the condition that no arms should be carried within the zone. From the first day the LTTE started removing stocks of medicine and the hospital generators one by one. Yet it continued to bring its injured cadre in for treatment.

The ICRC's conduct was also wobbly. It seemed to have accepted that the closure was inevitable and to have swallowed the LTTE's reading of the situation. This was that the patients, people and even medical staff were moving into Thenmaratchi and that soon there would be no work at the hospital. The senior doctors were however determined to keep the hospital open and to remain in Jaffna. In this they were supported by most of the junior doctors and by medical staff who had not quit. The junior doctors even helped in menial tasks such as cooking, and they all worked as a team. The ICRC's attitude however indicated that it wanted to move. As the doctors understood it, Thamilchelvan had 'really scared the daylights' out of the ICRC by threatening to cut off access. Worse still, a shell fell near the ICRC office, a shell whose source is disputed. The general opinion among the people was that it was an LTTE shell. Others however maintained that it was an SL Army shell on the grounds that the explosion was louder than that obtaining from LTTE shells. But given that the area was not subject to general shelling by the SL Army, it would appear strange that the army from 3 or 4 miles away should aim a single shell at the location of the ICRC office.

From about 7th November the ICRC started taking down their flags and insignia, heralding the closure and spreading panic among all those who had depended on the ICRC zone for their protection. The doctors at the hospital and the ICRC seemed to be working towards different ends and the communication gap was quite evident. Mr.Georg Cunz, the head of the ICRC mission was guarded and diplomatic in what he said. But remarks attributed to the ICRC team as a whole gave doctors the feeling that they were very much misunderstood and that the ICRC team was more influenced by what the LTTE told them than by the ground situation in the hospital. Of course no one could take the LTTE's reputation lightly and there was the shell near the ICRC office of unknown provenance.

The ICRC opened a mobile clinic with Jaffna Hospital doctors in Thenmaratchi and the medical doctor of the ICRC team was constantly comparing statistics between Jaffna Hospital and Chavakacheri Hospital. A member of the Jaffna Hospital surgical team took a breather from a grinding routine by standing on the balcony of the house officers' quarters. The European lady ICRC representative who passed by below addressed a remark to him, "There are lots of casualties in the ward, why are you idling?". There was a regular insinuation attributed to the ICRC that the hospital doctors were shirkers. By the time the ICRC started pulling down their flags, the doctors came to know of remarks from the ICRC team to the effect, "Why are the doctors drinking tea [here in Jaffna hospital] and wasting their time [when there is so much work elsewhere]?" The ICRC seemed unable to see the value the native folk and the doctors attached to Jaffna Hospital as a key community institution that had to be preserved despite temporary setbacks.

The LTTE was at the same time working hard at different levels to close down Jaffna Hospital. There was a great deal of individual canvassing of patients, staff and doctors by others sympathetic to the LTTE. Their fears were constantly played upon. But the senior doctors and a core of junior doctors and medical staff worked as a team and stood firm in their resolve to keep the hospital functioning. The LTTE had always feared any showing of community spirit and cohesiveness that was outside its direct control.

The LTTE used some of what is known in military parlance as 'softening up', before the final coup de grace in the form of a carrot. There was intimidation in the form of remarks. An LTTE patient who was receiving treatment, for example, addressed a remark to a nurse, "Why are the doctors waiting here without going? We have marked who the traitors are. We know how to deal with them!" A very worried nurse communicated this to the doctors.

On the 10th of November, 11 days after the exodus order, there were 300 patients in the hospital with a little more than 1000 beds, providing more than enough work for the staff who remained. Many of them were elderly patients, seriously ill paediatric patients and women who had undergone caesarian operations. LTTE agents came in vehicles and made a determined bid to get the patients out. Intense pressure was applied on the patients and their relatives and what went on was more or less public. As soon as someone gave-in to pressure, someone, in most cases the relative, simply pulled out the naso-gastric tubes or the IV (intravenous) drips. The patient was then loaded onto a stretcher and driven away to Chavakacheri. In the meantime the LTTE had told the ICRC that there were no patients in the hospital.

The battle was simultaneously joined in by some of the doctors. While on one side the LTTE was asking patients to go, the doctors went around reassuring the

(Continued from page 14)

ity votes on a platter to Chandrika by supporting the package which, despite recent efforts by Professor G L Pieris to get Ranil involved in the process directly, will ultimately be seen as PA's achievement for the minorities. The UNP would rather wait patiently until the government's relationship with the minorities - which was once considered its strongest point - turn sour as the package inevitably gets bogged down in seemingly endless deliberations and until Eelam War Three turns out to be another long haul. Holding a referendum on the other hand will not be acceptable to the Tamils in view of the very large and hence critical number of people in the north (and now in the east as well) who cannot participate in it because they are in LTTE held areas. Dr Balasingham recently attacked the Tamil parties on these grounds, in a lengthy address to the people of the north, accusing them (the Tamil parties) of taking the Tamils for a ride. Under such circumstances the Tamil political leadership which subscribes to the idea of united Sri Lanka finds it increasingly difficult to sell the package to the people it claims to represent. If it cannot, the consequences will no doubt only benefit the LTTE's project.

patients that they would be around and that there was no need to leave. Within a few hours, however, the bulk of the patients had been carried away. Some of the doctors asked the ICRC to station one person permanently in the hospital so that they could see for themselves what was going on. The ICRC representative replied that there were no patients in the hospital. The doctors went in for a quick count and told the ICRC that there were 30 patients! the ICRC representative then promised to send someone around regularly to take a look.

On the following morning or the one after (12th), Thamilchelvan came to deliver the final thrust. He used the well-tried method of a totalitarian force. Having constantly rattled thenerves of the defenders of Jaffna hospital and built up fear, he offered a carrot to a chosen few whom he judged to be vulnerable and were key to the continuance of the hospital. It was a gamble that paid off. Had it failed, it would have increased resistance, creating more problems for the LTTE. Thamilchelvan met a closed group comprising a few hospital consultants and offered their families passes to go to Colombo, including their teen-aged children who are normally not eligible for passes. The consultants accepted. Thamilchelvan left after promising to collect a list of names that evening and issue the passes. A way out of the draconian pass system had become a lure that few could resist.

Immediately afterwards the hospital staff met. One of the consultants who had accepted Tamilchelvan's offer represented the position slightly differently. He told them that all the hospital staff were offered passes for their families. He said that all who wanted passes could include their names in the list that Thamilchelvan would collect in the evening. But the nurses and other staff had already heard that only the consultants were included in the offer. Some of them asked, crestfallen, "Then how about us?" It was a severe blow to the junior doctors who had totally trusted their seniors along with the remaining junior staff, and had given themselves entirely to working as a team. The hospital superintendent was also offended that those who had agreed to Thamilchelvan had never consulted her in the matter. The consultants were urged to reconsider. At the meeting at 3.00 P.M that day, the majority of the consultants voted to accept Thamilchelvan's deal. The fate of the hospital was sealed. The ICRC was told of the decision to move the hospital. Mr. Cunz's face, it is reported, brightened with plain relief. The evacuation of Jaffna hospital was fixed for the 14th.

It was also evident that Thamilchelvan's attitude to the doctors changed after the consultants fell for his offer. He seemed to have lost respect, particularly towards those advocating his offer. He never came to collect the list of names and avoided the doctors thereafter. For several of those who had agreed, the obtaining of passes became a long drawn out harassing affair. The blow was also keenly felt by those who had remained in Jaffna drawing strength from the hospital. The methods used to expel civilians became decisively harsh following the LTTE's success in closing the hospital. The doctors themselves had drawn comfort from the decision of the Roman Catholic Bishop in Jaffna to remain. How he eventually came to leave is not clear. One version of the event is that he went out to visit members of the clerical orders and nuns who had shifted to Vadamaratchi and was not permitted to re-enter Jaffna.

A comic event took place on the 13th when the LTTE sent vehicles to evacuate the remaining civilians, which also showed how some of the young cadre innocently carried out their order to clean up the city. A cadre stopped his bus outside the hospital, sounded his horn, and shouted out to the lady superintendent standing in front, "Get in madam, this is the last bus out of Jaffna. If you miss this one, you will never get another one!"

The exodus of the hospital to Pt. Pedro was arranged by the ICRC with meticulous care. But once there, the ICRC appeared to wash its hands of the Jaffna hospital. The hospital staff had looked upon the ICRC in some sense as a guarantor of their security and this had influenced their decision to stay on till the last. Since security reasons were among those compelling the movement of the hospital, the staff felt that they should be moved to a place that was at least safe. This was not the case with Pt. Pedro which was subject to shelling by the SL Army and there was no officially accepted security zone around the hospital there. Doctors applied to the ICRC for transport on their ship that sailed regularly between Pt. Pedro and Trincomalee. This was at first refused. Mr.Cunz later suggested that if those wanting transport write jointly to the Ministry of Defence in Colombo and obtain their sanction, the ICRC would transport them. Such a letter was given to the ICRC for forwarding. It was later reliably learnt that the letter stopped with the ICRC office in Colombo, and was not forwarded. The ICRC in Pt. Pedro, however, told them that the defence ministry had refused permission. On the other hand it seemed to them that the Government which wanted to reopen Jaffna Hospital would like to get them down to Colombo, since from Colombo, the government would have better control over the doctors than when they remained in Tiger territory. Further, whereas the LTTE would want to keep doctors under their control, the ICRC too, it appeared, was playing a game of delicate balancing between the two armed forces it had to work with. In actual fact, the major actors were acting in such a manner where the people were being hemmed into smaller and smaller areas and were being used as pawns in a game. The ICRC also contributed to this by refusing to open a safe passage to the people out of this contracting circle. Its ships regularly returned to Trincomalee almost empty.

The ICRC had rendered invaluable service to the community by ensuring the continued security and functioning of Jaffna Hospital for more than 5 years. It has acted as a commonly trusted intermediary in peace moves and arranged exchanges of prisoners and visits to them. It has also served as a foreign presence witnessing the plight of ordinary people. However, the ICRC has the practice of changing delegates every 6 months. Staff whose experience had just enabled them to understand the intricacies of the situation are changed. Several of the delegates had proven their worth, standing firm for the hospital. But during the recent crisis, the individual delegates proved to be only too human, like the Jaffna doctors.

Vadamaratchi

The last evacuees went to Chavakacheri, Killinochchi and the majority to Vadamaratchi. Many of those who went to Killinochchi hoped to find their way to Colombo. Vadamaratchi was less crowded than Chavakacheri, and bread was more easily available since there were more bakeries. Even here there were queues and, like elsewhere in Jaffna, cash too was hardly available. Friends and well-wishers helped those who arrived in Vadamaratchi to find rooms in Pt Pedro. But here there were constant reminders of the war in the form of shelling. A few days later, on 14th November, a long convoy of vehicles with ICRC flags, preceded by motor-cycle outriders reached Pt Pedro. This was the final evacuation of the ICRC along with Jaffna hospital. For a few more days lorries and bullock carts continued to go to Jaffna to fetch the properties of institutions and private belongings. But most people left behind everything. The banks too had moved to Pt. Pedro with whatever records they could carry. But their coffers were empty. The Government also placed severe restrictions on the carrying of cash into Jaffna; even institutions were refused permission by the Ministry of Defence to take cash for salary payments. Each individual going north was restricted to Rs 5000/-. Thus people and institutions like orphanages were placed in a position where they could neither operate their

local bank accounts nor get cash from Colombo.

Withdrawals from banks were restricted to Rs 500/-. While the Government restricted the flow of cash, the LTTE, which received priority in withdrawing its huge cash deposits from the banks, had plenty of cash. It had also been insisting on cash payments for its National Defence Fund contributions. As the exhausted refugees poured into Vadamaratchi, the LTTE's NDF collections from Vadamaratchi folk went into top gear. Those who were desperate for cash had to part with their gold to the LTTE for a ridiculously low price. The LTTE capitalised on the suffering of the people in various ways. For example, the proprietor of the Milk White soap company wanted a pass to go into Jaffna and collect his stock of soap from the stores. The LTTE agreed on condition that they would be given half the stock. Soap was being sold under LTTE monopoly for the astronomical price of Rs 70 a cake.

Within limits the LTTE had striven to keep the elite on its side. As Pt. Pedro became crowded with refugees, the LTTE got about looking for houses. Several refugees who had just found shelter and settled down, found themselves virtually getting thrown out on the streets with bag and baggage after being promised alternative accommodation. The only consolation they found was in tears, until some good soul came along to help.

The LTTE press, radio and loudspeakers constantly advised people to move to the Vanni. Fear also got around that a second exodus from Thenmaratchi and Vadamaratchi into the Vanni would be enforced. The LTTE was providing free transport across the Jaffna lagoon to the mainland, but was not in general permitting movement into Jaffna - i.e., a one-way passage was on offer.

In this situation several people decided that rather than remain with the LTTE and get trapped, it would be better to go to Colombo while they could return to Jaffna when the situation improves. Long queues gathered outside pass offices. About 17th November, the LTTE closed its pass offices and stopped issuing passes. Several of the offices were stoned by frustrated crowds.

Killinochchi and Vanni

Amidst the trauma and disorder of being thrown out of Jaffna, there were just three matters in which normality quickly returned. First, in the matter of recruitment. Displaced people entering Navatkuli were greeted with messages on banners with a yellow background at regular intervals. Young men and women were urged to join the LTTE to liberate Jaffna and were told that there was a recruitment office nearby at their service. A meeting of the Jaffna University Students Union was called at Chavakacheri. This was not to discuss education or the future of the University. The matter was simply this. After perhaps 6 or 7 years of trying to get a degree there was virtually no university. The South was essentially hostile and was not going to accommodate them. They were on the roads with nowhere to go. Likewise with high school students who were geared to advancement through education. The LTTE had precipitated a situation where there was to be no school in the foreseeable future. The message now was: Join us, the LTTE, and with greater numbers we would get the separate state of Eelam quickly. Then you could go back to whatever you want to do. Otherwise you will rot on the roads for years." If the number of university students joining the LTTE was negligible in the past, it was now significantly higher. For some months now it has been fairly common for LTTE cadre to tell young boys that if they did not join the LTTE now, they would be conscripted later. This message was often heard by the young fleeing through Thenmaratchi and the Vanni.

The second aspect of normality is in the collection of taxes. In the areas where the refugees have been dispersed, the tax collectors have returned to work very efficiently. Goods sold are taxed and collections to the National Defence Fund are going on. At the beginning payment to this fund was a requirement to cross the lagoon of those wanting to go to Colombo (This appears to have been relaxed when the LTTE decided to move as many as were willing across the lagoon into Killinochchi). The Tiger greed for gold also quickly surfaced. It has been decreed that only the LTTE could purchase gold. The price initially offered at Rs.3000 per sovereign was about 50% to 60% of the market rate. There are also restrictions on the carrying of jewellery by those leaving the North. By comparison, the Muslims the LTTE chased out of Jaffna in 1990 had to surrender all their valuables. Women then were subject to humiliating body searches with sometimes ear-rings being plucked off bleeding ears - all by women cadre. The recent extortion exercise was observed with suppressed anger by people who had parted with their cash-in-hand to meet their payment to the LTTE and were the next day thrown out of Jaffna with nothing in hand. Owing to the monopoly the LTTE had enforced, later reports said that gold had been sold for much less than 3,000 rupees a sovereign by people desperate for cash.

Thirdly, new pass offices were quickly established after the computers originally from the University were relocated. A new centre was established in Kodikamam. The elderly wanting to go to Colombo had little difficulty. Children were almost always refused. For a short time the minimum age for refusal was raised from 10 to 14 and has since dropped to 12. The maximum age is 30. Moreover, the LTTE was not too keen on restraining middle class persons who feel they have alternatives, such as going abroad, and hence would be a nuisance to the LTTE in the Vanni. On the other hand such persons had in general proved very useful abroad. But this leniency ended after a short time, when the issuing of passes was stopped.

Those crossing the lagoon into Killinochchi found things much better organised for long term recruitment and settlement. By contrast the LTTE had done nothing or very little to cater to long term civilian welfare in Thenmaratchi and Vadamaratchi. Those crossing the lagoon and landing at Alankerni on the mainland were offered plain-tea by courtesy of Thamil Eelam Boat Service and the Thamil Eelam Administrative Service. Then came the usual tractor ride to Nallur and a free but jam-packed lorry ride to Killinochchi. There, shelter was provided in schools, with school teachers, boy-scouts, and cubs providing supervision and free food. They were later taken to shelters from where vehicles proceeded to different locations in the Vanni. By the 9th of November UNHCR lorries were seen in Killinochchi suggesting that food sent by the Government had begun to come in. Refugees going to villages in the Vanni were given free food for two days. Within that time they were enabled to register with the local headman and start receiving government rations. They were then given land, mammoties, and other agricultural implements to begin cultivation. The Tamil Refugees' Organization (TRO), an NGO started by the LTTE, was at the fore-front of this activity and is responsible for Vadamaratchi, Thenmaratchi and Vanni. Formerly, all NGOs were registered as part of the NGO Forum, giving an illusion of partnership and democratic functioning. The illusion is no longer there with the TRO openly calling the shots. All other international NGOs have to work through the TRO, thereby giving the impression that it was the LTTE that was their benefactor. The bulk of the resources at its command come from the government machinery and other Nogs. All this suggests that the LTTE had had put considerable effort into this and had long-term plans for the displaced people. It would also appear that the LTTE wishes to empty the population of Jaffna into Vanni.

Some of the international Nogs had protested to the TRO of the LTTE's control in refugee camps being used to recruit minors. At least to these Nogs, the

TRO has acknowledged that the recruitment of minors is wrong. The matter no doubt ends there. Initially there was a great deal of anger against the LTTE among displaced persons thrown into chaotic conditions in the Vanni. The TRO has tried hard to soothe the anger and bring some order.

By early December, the LTTE had ordered the TRO to stop work in Thenmaratchi so as to apply pressure on the population to move to the Vanni. This led to dissatisfaction among relief workers who had been working hard. International Nogs are worried. Following the exodus order, they reluctantly moved out of Jaffna into Thenmaratchi and Vadamaratchi. They had decided that they would not move again. Should the LTTE engineer a second exodus into the Vanni from the remainder of the peninsula, these Nogs are apparently not quite sure what they would do.

As November wore on, several of those wanting to take to Colombo their children to whom the age restriction applied, did so by paying sums of up to Rs 1 lakh at the Thandikulam crossing point. Others who came to Thandikulam without passes paid sums of money from Rs 10,000 upwards after negotiation and were allowed to pass over to Vavuniya. Once the LTTe stopped issuing passes, there were also scenes at Thandikulam, where for example A.Level boys threw stones at the pass office. In some places, the LTTE opened the pass office for a short time and issued a few passes to calm the unrest and then closed it again. From mid-November travellers reported signs of discontent among some LTTE cadre they met. Some complained that the big ones were not to be found and they were at a loose end. Not everything went smoothly for the LTTE in the Vanni. It had to find housing for a large number of its supporters who had come over. This was causing some heart-burn. The editor of the 'Eelanatham', the LTTE's paper, whose wife is from an upper middle class background, was said to be dissatisfied with the house he had been assigned in Uruthirapuram.

(Continued in next issue)

The Kumarapuram Massacre

The following is the text of a statement by UTHR(J).

Between 5.30 and 7.30 PM on Sunday February 11th, armed men in military uniform ran amok in the village of Kumarapuram, Killivetti, killing 24 civilians and injuring may more. Among those killed were seven children under the age of 12, the youngest being 3 years old. Some young women were raped, including one who was raped and killed. The death toll would have been very much higher had not the people run out and sought shelter in fields and a grave yard.The incident followed the killing of two army personnel by the LTTE.

Mr Thangathurai, MP for Trincomalee, who visited Kilevetti, his own village, confirmed that the Sri Lankan army was responsible for the massacre. According to the people a large number of troops were involved. Apart from those responsible for the outrage, many troops were on guard in the surrounding area. They said that they could identify several of the perpetrators. Several of the troops were from the camp about the 57th mile post nearer Killivetti. Some said that troops had also been brought from other camps such as Dehiwatte in the Allai scheme.

Troops had prevented the injured from being taken away for medical treatment until 9.30 the following morning. They relented only when they heard that Brigadier Paramu Kulatunge of Trincomalee and Wimal Gunatilleke, DIG/ Police, were coming into that area. The latter had picked up several empty cartridge cases. An unexploded grenade that had been thrown into a house with 12 inhabitants was also picked up.

The Government expressed its shock and acknowledged the possibility that the army could have been responsible. It further promised that an inquiry will be conducted, adding that on the basis of testimony given by the civilians, certain military personnel had been taken into custody. Killivetti was a village from which hardly anyone had joined the LTTE. The army from the camp responsible for the incident had visited the village regularly and there had been no problem. There is now absolute distrust of the army. Some had even said that they have no choice but to seek the protection of the LTTE or even join the LTTE instead of being killed in this manner. They ask how they could give evidence to military officials conducting an inquiry whom they cannot trust and then continue to live in the area. There is despair and panic throughout Tamil villages in the Allai scheme.

People Moreover suspect that the degree of organisation in the massacre could not have come about without complicity from a higher level in the local area. The act follows previous acts of indiscipline that have gone unchecked. Towards the end of last year several civilians in Mallikaitivu were badly assaulted by the army. The matter had not been pressed after the Colonel in charge of the area gave an assurance that such would not be repeated. Another incident is the murder of two Perinparajahs. One Perinparajah, a socially active person in that area, used to pass on information to concerned persons in Trincomalee about acts of indiscipline by the armed forces. A different Perinparajah was killed, allegedly by the armed forces, who then discovered their mistake. The Perinpa rajah sought after was according to the people detained by the army at Mallikaitivu. His body was later found in the locality."

The UTHR(J) statement also listed the names, age and sex of the 24 victims of the massacre. ●

UTHR (JAFFNA) AND ITS ACTIVITIES ?

"The information contained in these reports are based on hearsay and authenticity of the sources from which they are supposed to have been obtained is open to question," states communication dated 27 January released via the internet by six university teachers from the Faculty of Agriculture situate in LTTE controlled Kilinochchi in northern Sri Lanka. Its authors are Dr.A. Navaratnarajah, Senior Lecturer in Animal Science; Mr.R.Vijayaratnam, Senior Lecturer in Agricultural Engineering; Mr.S. Rajadurai, Senior Lecturer in Agronomy; Dr.S.Mohanadhas, Senior Lecturer in Agricultural Chemistry; Prof. S.V.Parames waran, Senior Professor of Physiology, and Prof. K.Kunar- atnam, Senior Professor of Physics.

The following is the full text of their communication headed "UTHR (Jaffna) and its Activities" which is addressed "to whom it may concern":

"We the members of the teaching staff of the University of Jaffna wish to express our anger and resentment at the reports published by the so called University Teachers for Human Rights (Jaffna) regarding the recent happenings in the Jaffna peninsula. The

information contained in these reports are based on hearsay and authenticity of the sources from which they are supposed to have been obtained is open to question. The information does not give

(Continued on page 28)

DEVOLUTION IS THE ONLY WAY TO CONCORD

By Professor Bertram Bastiampillai

Ethnic conflicts turn to be pervasive and pose a serious threat to the unity and integrity of states, as well as to their security and stability as the example of Sri Lanka illustrates.

States like Sri Lanka that consist of diverse social, ethnic and religious communities often remain deficient in national unity and cohesion owing to the prevalence internally of ethnic strife. There should be domestic cohesion in states since it is an essential element for reaching any consensus on national issues.

However, if a state lacks socio-political cohesion which is evident in Sri Lanka its security is under threat owing to internal problems such as social divisions, domestic turmoil, and political disunity caused by contending diverse groups within. Then a state encounters the growth of sub-nationalisms among minorities like the Tamils here arguing for autonomy and even independence. To overcome such challenges to the state's integrity there should be an integration of diverse communities as it is an indispensable ingredient in nationhood which is vitally required for building any agreement on national valuesAt any cost, the fragmentation and disintegration of a country into several communal groups should be averted. This the present proposals on devolution could do. In fact, it ought to become the objective of a state to deter the creation of ethnic identities thinking as purely communal divisions since that would damage the unity and integrity of a state.

In a pluralist and multi-ethnic country like Sri Lanka the population can remain segmented because diverse ethnic communities that proffer different ethnic loyalties tend to undermine the state's predominance. The discrete communal loyalties get easily transformed into different types of ethnic nationalisms and they even engage in conflict against the state nationalism. This proclivity among different communities should be defused and a nationality should be accommodated and room needs to be allowed for it to be contained and tolerated by allowing space for the evolution of an overarching sense of nationalism that pertains to the state as a whole. Sadly, this has yet to happen in Sri Lanka and could happen if room for power-sharing is provided and tolerance is cultivated.

If in a multi-ethnic country when a dominant community's culture relegates the cultures of the others into subordinate position then discontent arises as it had happened so often. Then the state and its policies benefits only one community, while it threatens in turn other communities. By adopting a preferential policy the state's ruling elite strongly promotes the interests of one group, which is unfair in a multi-ethnic set up. Other communities like the Tamils, feel deprived and they tend to counter this development. Consequently clashes occur deteriorating into protracted ethnic conflicts, that the state in Sri Lanka for example has to confront. The surge of ethnic or communal nationalism within Sri Lanka has caused a serious problem to the government over years. It is time to address this problem and devolution may be the answer.

Unfortunately, nationalism before independence in February 1948, was more a negative manifestation against alien colonial rule. Nationalism in Sri Lanka did not cohere the island's diverse communities in a positively united manner. Later on when various communities competed for the socio-economic bounties of the state, conflicts among them got sharpened.

There was a want of integration in Sri Lankan society and competitive community loyalties persisted and numerous problems such as communalism and parochialism emerged which however could be contained by socio-cultural cohesion that devolution and power-sharing attempts to introduce. The proposals on devolution are relevant and significant today because through them and the decentralisation that would follow, there is a venture to integrate all the communities in a multi-ethnic society. It is on the foundation of common shared values, national unity and integrity that political consensus could emanate in a divided society as that of Lanka.

In Sri Lanka, the protracted and intractable ethnic conflict had later accounted for the secessionist movement of a militant group, the Liberation Tigers of Tamil Eelam (LTTE). This ethnic strife had got aggravated largely owing to political and economic rivalries and as a response to the government's reactions to the ethnic upsurge. The Tamil group then fell back to define itself on the history and culture in a particular area that it designated, in a particular area, as its habitat. It is on the grounds of this own habitat, that the Tamil group argued for the retention of its culture, language and its place of dwelling against what was to it a separate community that was controlling the state. Following the long drawn out conflict between the Sri Lankan state and the militant Tamil group it opposed state interference in its affairs, and voiced nationalist demands as a separatist movement.

The proposals on devolution, however, firmly obstruct and do not tolerate secessionism, totally. Instead they make clear that the island would remain a united and sovereign republic which will mean an "indissolvable union of regions." A regional administration's attempt at secession or to promote secession or separation are explicitly disallowed. Therefore although the ethnic conflict in Sri Lanka had culminated in a secessionist movement inspired by the vision of self determination on territorial grounds, the proposals on devolution preclude and prohibit any such move either to secede or separate. The regions cannot even hold a referendum to secede from the union of regions. Nor is it possible to alter the area, the boundary or the name of a region, and there can be no attempt to form a new region. Any fear that devolution is a step to separatism becomes groundless; it is a chimera.

Ethnic nationalism arose out of divisions within Sri Lanka and facilitated the strengthening of separate identities and loyalties and had finally led even to ethnic separatism to be nursed. Fissures within the island arose strongly after independence from issues such as of language, and discontent escalated from years of neglect and discrimination. The interaction of these grievances among a people based on a territorial ground had sharply aroused among them violent separatist tendencies. But now the proposals on devolution not only close the door on separatism but also provides space for the accommodation and integration of the aggrieved and alienated Tamil minority community.

Further, the scheme of devolution ensures that the fundamental rights embodied in the national constitution would be respected, secured and advanced in the regions. So there can be no room for unequal treatment of or for overriding the language and other rights detailed in the country's constitution of any one or any community.Apprehensions were articulated that devolution might mean that land was going to be surrendered to a community at the cost to the nation. However, the region's authority over land is clearly circumscribed and can only be used in accordance with the terms spelt out in the constitutional pro-

visions, in conformity with the laws of the land. Land needed for national purposes has been safe-guarded.

Law and order is, no doubt, devolved on the region but it denotes only ensuring public order in the region and exercising police-power alone in the region in stipulated matters. Others are left to the national police. There is no room for creating or training a force that could be deployed against the island's national defence authorities.

The fear that if law and order is given to regions they will build their own armies and attach the state is groundless. In India, the states handle police power and the nation has not been in peril. In any case it is not possible according to the provision to pose any threat to the nation.

The assignment of finance as a subject to Regional Councils too had caused some consternation among a few. However, now it is clear that Regional Councils hade not received carte blanche in respect of financial affairs. International borrowings are subject to the criteria and limitations stipulated by and require the concurrence of the Centre. Moreover, even domestic as well as international borrowings by a Regional Council have to conform to conditions prescribed by the national Finance Minister.

The prudence of fiscal policy, demands of monetary stability, and repayment capacity of Regions are conditions that cannot be ignored in transacting fiscal affairs. Agreements of regional administrations (not government's) in respect of international grants and foreign development assistance have to conform to national policies and not to the "whims and caprices" of regional administrations. The Finance Commission itself will consist of expert and informed representatives of the three major communities chosen by the national Constitutional Council. While there is reasonable liberty there is no licence allowed in the use of financial powers by Regional Administrations. No foreign borrowing is possible in an unfettered manner.

The Chief Minister's Conference is a useful democratically constituted mechanism to shoot down troubles and settle disputes before they fester between regions. It also can concern itself with subjects of common interest to some or all Regions. Again, it is a valuable deliberative body where problems can be ironed out, mediated and conciliated, in a consensual way. If agreement is not possible there is further room for adjudication by a tribunal, but enough room has been allowed already for inter-regional co-ordination and co-operation.

Nevertheless; there are provisions and sections in them which can be unsatisfactory to different sections for different reasons - already such opinions have been voiced. These need to be considered and a consensus should be arrived at through negotiations and compromises. That is why the proposals go to a Select Committee, Parliament and before a referendum. Unlike the Bandaranaike-Chelvanayakam (1959) or the Dudley Senanayake-Chelvanayakam agreement (1966) at least these proposals have received already ample attention in public discourse and have now been presented in legal form to be submitted for consideration further by the Select Committee of Parliament.

The decentralisation and devolution of power is not designed to foster either the fragmentation or the dismemberment of the country. Such a belief is unfounded, for devolution has to mean in practice the democratic empowerment of civil society as a whole. It could become the means to bring in understanding, co-operation and peace in what is called a fractured society today. ●

DUKE'S COURT TRAVEL

ATOL 3045

IATA

190a KING STREET · LONDON W6 0RA · FAX: 0181 563 7005

MAIN AGENT FOR COLOMBO ON AIRLANKA & BRITISH AIRWAYS

CHILDREN'S DISCOUNT 2–12 YEARS

AIRLANKA
- FARES FROM £410
- FAMILY FARES
- FIRST/CLUB CLASS DISCOUNT
- 40KGS BAGGAGE
- PAY AN EXTRA FEW £'S AND FLY TO SINGAPORE HONG KONG BANGKOK MALDIVES KUALA LUMPAR TOKYO MADRAS TRICHY

OUR SERVICES INCLUDE
- TRAVEL INSURANCE 10% DISCOUNT
- AIRPORT TRANSFERS
- HOTEL BOOKINGS
- LOCAL TOURS
- COLOMBO TO LONDON FARES AVAILABLE

ALL MAJOR CREDIT CARDS

BRITISH AIRWAYS
LOOK! LOOK! LOOK!
JULY/AUGUST FARE
ONLY £485!
BOOK NOW!!!!!
AVOID DISAPPOINTMENT
BOOK NOW!!!!!

CURRENT BEST BUYS ON THE WORLDS FINEST AIRLINES

COLOMBO	£380
MADRAS	£375
BOMBAY	£360
KARACHI	£290
DUBAI	£315
BANGKOK	£395
SINGAPORE	£395
KUALA LUMPAR	£395
MELBOURNE	£690
TRICHY	£400
TRIVANDRUM	£400
TORONTO	£240

MANY MORE FARES TO EUROPE & WORLD WIDE
TRY US!!

ALL MAJOR CREDIT CARDS

WE ALSO OFFER FARES ON MANY OTHER AIRLINES

BOOK WITH CONFIDENCE • FULLY BONDED AGENT
FOR YOUR FINANCIAL PROTECTION
IMMEDIATE CONFIRMATION AND ISSUE OF TICKETS

CALL US NOW!!!

Tel: 0181 748 3535

Hawala Racket Unmasks Indian Politicians

By T N Gopalan

Vineet NNarain

It seems to be a completely prosaic misdemeanour - no complicated or ingenious manoeuvres involved, but a straight deal, money changing hands and finding its way to the politician's bank account either in India or abroad, only the Reserve Bank of India is not kept in the picture as is mandatory.

It is perfectly in consonance with the accepted norms of democratic practice, just a case of quid pro quo, the beneficiary is just being grateful to the benefactor. All those living under the so-called democratic regimes know full well that their rulers are corrupt and leave it at that.

All the same Indian media is feigning uncontrollable moral outrage and reams and reams of paper are going down the drain, expounding the nuances of the hawala racket and the shenanigans of the leading players involved.

tion to prosecute three minsters in the Narasimha Rao cabinet.

The ministers have resigned and Advani has stepped down as Member of Parliament. The CBI is threatening to prosecute many more. Prime Minister Rao himself and that much vaunted scion of the Nehru family, the late Rajiv Gandhi, are being linked to the scandal. Allegations and counter allegations are flying thick and fast. The Jain Hawala scandal, as it is called, has uncovered yet another layer of the cesspool of political and bureaucratic corruption.

Hawala in Hindi simply means 'reference' and is taken to mean merely the unofficial courier route for foreign exchange. Many of those employed in the middle east or elsewhere use this route to transmit money to their near and dear, avoiding cumbersome banking procedures.

Apparently the politicians too used this route, of course to evade accountability and they would not have known that one of the very conduits through which the illegal money was being pumped in from abroad, evidently in return for favours done or expected, would one day prove their nemesis.

Indicted Cabinet Ministers V.C.Shukla, Madhavrao Scinda, Balram Jhakar and BJP Leader L.K.Advani

Ironically it is the politicians who seem to be stunned and are running for cover, not knowing whom to trust or what to say whereas the public at large are only predictably cynical - we knew it all, why the fuss?

The total amount involved is hardly Rs.65 crores - roughly the same amount talked about in regard to the other infamous deal, the Bofors.

The move of the Central Bureau of Investigation (CBI) on 16 January did come as a bombshell to the complacent community of politicians. That day it told the Supreme Court that it had charge-sheeted seven leading politicians including that guardian of Hindu dharma, Mr Lal Kishen Advani, Chief of the Bharatiya Janata Party and that it had sought the President of India's sanc-

In March 1991 a leading light of the intelligence wing of the Hisbul Mujahideen, a pro-Pakistan militant outfit, was arrested and some money meant for distribution to some groups seised. Another contact man, this time a student of the New Delhi Jawaharlal Nehru University, when nabbed, revealed the existence of a Hawala network. Then followed the raids on the premises of Mr Surendra Jain, his brothers and associates. Out came the diaries which meticulously detailed the payments made to politicians of every hue.

Sensing the explosive nature of the document in their possession, the officials initially sought to sweep the whole thing under the carpet. There was no follow-up. A senior official of the CBI who was in charge in the first phase and who allegedly sought to blackmail the Jain brothers into paying him up was also fixed in no time. The Jains paid him first and later promptly got the agency to raid his house. He was later suspended from service.

However, the scandal would not go away. The humiliated CBI official reportedly leaked juicy details and Vineet Narain, editor of a video magazine, Kala Chakra, one of those who got wind of the matter, gleefully latched on to it. It was he who went to the Supreme Court along with some journalists in 1993, praying for directions to the CBI to pursue its investigations.

Only under constant prodding and tongue-lashing from the Supreme Court the stalemate was broken and things started moving again.

In November 1994, expressing their anger at the CBI's failure to arrest the Jains, one of the judges said, "I find it hard to believe that one can perpetrate such a fraud and get away... it appears as if the Jains are too hot to handle and the only way to keep them quiet is to let them do what they want...". At one stage the Court even threatened to transfer the case to some other agency.

Even after the Jain brothers were arrested and interrogated, the CBI was still

going slow and it had to be virtually bullied into the present phase of prosecution.In all around 105 persons have been listed in the diaries and it reads like a Who is Who of Indian politics.

The alleged recipients via the Jains seem to include men like the late Rajiv Gandhi, former Deputy Prime Minister Devi Lal, rebel Congress leaders N.D.Tiwari, Arjun Singh, Ministers like R.K.Dhawan and Kamal Nath and even the noted journalist-turned Congress MP M.J.Akbar.

The amounts vary from more than Rs.7.5 crores in the case of former Union Minister for Energy, Arif Mohammed Khan to Five hundred thousand rupees to Akbar.

It is not clear whether the CBI is being fair and objective, whether it is only carrying out the directives of the Court or whether it is actually serving the interests of its master, Prime Minister Rao under whose direct purview the agency falls. It is headed by a man from Andhra Pradesh, the home state of Rao.

Many in fact believe that is a master stroke on the part of Rao, dogged by allegations of corruption right through his tenure and even earlier. His association with the controversial Godman Chandraswamy has further dented his image. Now in one swift move he has shown up politicians across the spectrum as a bunch of crooks and sanctimonious humbugs - from BJP's Advani, Madanlal Khurana (Chief Minister of Delhi), Yashwant Sinha, leader of the Bihar opposition Janata Dal leader S.R. Bommai, Congress rebel Arjun Singh and so on. For good measure he has also got three of his own colleagues including his hatchet man Vidhyacharan Shukla charge-sheeted, in an attempt to show off his or the CBI's impartiality.

Those indicted are too embarrassed to say anything convincing by way of reaction. Advani could only resign and demand expeditious trial. Others including the ministers talk in terms of a witch hunt and conspiracy. Apparently, however, the CBI has enough damaging material to prove its case.

The predicament of the BJP is especially pathetic. Yet to recover from the Waghela revolt in Gujarat it has now been caught with its hand in the till. It is not above making use of black money or of hobnobbing with those who finance terrorist outfits.

However, Narasimha Rao too is in a bit of a tight spot. Though he hopes to reap a rich political harvest thanks to the expose, he is facing a mounting revolt in the party for letting down his trusted aides.

More important in one of his confessions S K Jain is reported to have claimed to have paid more than Rs.3 crores to Rao himself though there is no corresponding entry in his diary. With the BJP releasing what purports to be a record of the confession and which, it is alleged, the CBI has not pursued things are becoming hot for the pm.

The CBI's not all that convincing defence is that it has not taken into account uncorroborated statements, but the opposition is accusing of its bias and the media critics too have wondered why only seven persons have been charge-sheeted.In its latest intervention the Court has directed the CBI to carry out an investigation into "every accusation made against every person on a reasonable basis irrespective of the position and status of that person", warned it against closing any file without reference to the Court and driven home the need for the CBI to retain public confidence in its impartiality.

It looks like Rao has unwittingly unleased a Frankenstein who could destroy his own master or at least administer such severe shocks to the patronage system thriving in the name of democracy that it might never be the same ever again. ●

Nathan & Chelva Solicitors

YOUR SATISFACTION IS OUR HAPPINESS

We offer you Prompt and Proper Service in all Legal Matters. Legal Aid Work also undertaken.

Partners: K. Chelva-Nayagam LLB, T. Sri Pathma Nathan, (Former Advocate of Sri Lanka)

169 Tooting High Street, London SW17 0SY

Tel: 0181-672 1800 Fax: 0181-672 0105

T.S.T. SKY TRAVEL

* **We offer you flights on scheduled airlines at a fair price**
* **We specialise in flights to Sri Lanka, India, Malaysia, Singapore, USA, Canada & Australia**
* *We will gladly refund the price difference if you can convince us that you could have got the same ticket cheaper elsewhere on the same date of purchase.*

Please contact Mr. S. Thiruchelvam

Office
255 Haydons Road,
Wimbledon
London SW19 8TY
Tel: 0181-543 3318

Residence
69 Toynbee Road
Wimbledon
London SW20 8SH
Tel: 0181-542 5140

P.SRINIVASAN

32 Abbots Lane, Kenley
Surrey CR8 5JH
INDEPENDENT FINANCIAL ADVISER
Tel: 0181-763 2221
Fax: 0181-763 2220

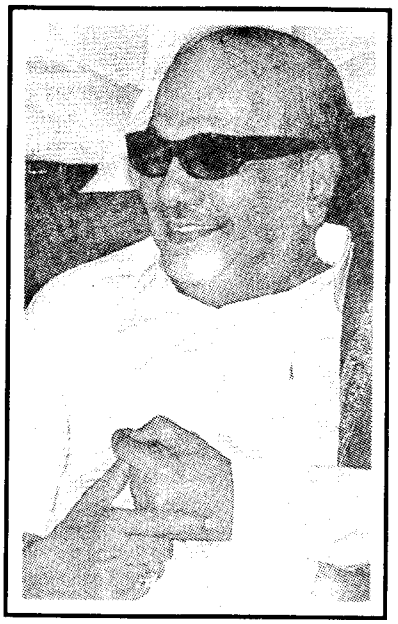
Independent advice could save you thousands of pounds on your life assurance plan

Make sure you've got the right plan

Make sure you take independent advice.

HOME INSURANCE
BEFORE YOU RENEW OR TAKE OUT NEW INSURANCE

PLEASE CALL US FOR A COMPETITIVE QUOTATION
CONTENTS & BUILDING INSURANCE
BUILDING INSURANCE
It is no longer compulsory to do this with your Building Society / Lender.
PLEASE CONTACT
ARM ASSOCIATES
0181-763 2221



Opposition In a Quandary

By T N Gopalan

Chief Minister Jayalalitha does not seem to have run out of luck, at least not as yet. Never mind the innumerable scandals her regime is buffeted by and the popular anger and even revulsion it is confronted with in many areas, she has still not lost hopes of returning to power in the elections due in a couple of months.

Her hopes hinge on two factors - a possible alliance with the Congress or a grievous split in the opposition ranks. While the congress alliance looks a very remote prospect as of now, the opposition is getting increasingly, hopelessly divided.

Until only a month ago it was the DMK-led front which looked the strongest on paper. Unless film actor Rajnikanth was going to finally make up his mind and take the plunge, with the Congress benefiting in the process, the DMK-front could cobble together a majority in the legislature even if its victory might not prove overwhelming, it was believed.

The front had as its members, at that point of time, the CPI, the PMK, rebel congress led by Vazhapadi K Ramamurthy (since known as the Tiwari Congress), the Indian National League (a splinter group of the Indian Union Muslim League), the Republican Party (of Dalits), the forward bloc and the DMK itself.

The PMK with a strong base among the vanniars in the northern and central region and to some extent among the Dalits in the south, the CPI with its traditional peasant constituency and Vazhapadi rallying together the dissident congress elements were expected to sway a lot of "uncommitted voters" across the spectrum and thus strengthen the chances of the DMK against the AIADMK and the congress.

These parties had come together essentially to "preserve the 50% reservation for the backward castes" and later formed a front for the now cancelled Panchayat polls, also vowing to remain the same way for the assembly and Parliament elections too, but the front has now come unstuck, thanks mainly to the overweening arrogance of the DMK and the reluctance of its president M Karunanidhi to share his booty (which is there for the asking, he believes) with anyone else.

First the Tiwari Congress was thrown out of the front summarily by the DMK without so much as a by-your-leave to any other front partner, on very specious grounds at that.

It may be recalled that Vazhapadi had once been a bitter enemy of the DMK and was instrumental in the dismissal of its Government in 1991. It was he who went about hurling wild allegations, insinuating DMK's hand in the Rajiv assassination. Subsequently he had to swallow it all when his patroness Jayalalitha ditched him, for reasons still not known, and take refuge in the DMK-front.

Even as everything seemed to be going hunky-dory for the front, there was this programme on the Sun TV, owned by the Karunanidhi clan. When Deputy General Secretary of the DMK, Aroot Veerasamy, who also participated in the programme, unconsciously or deliberately nettled his new ally as to whether the DMK now stood absolved of any role in the assassination, Ramamurthy, the ever irrepressible, retorted that it had better undergo an Agni Pravesam (trial by fire) to come clean, meaning that it could prove its innocence before the Jain Commission. His point was the DMK had originally decided to boycott it when the Delhi High Court had directed it to confine its probe to events after the Rajiv-Jayawardene accord was signed in July 1987. Now that even the developments since 1983 had been brought under its purview, there was no need for the DMK to boycott the Commission.

That was the cue Karunanidhi was waiting for. He sounded outraged and cried foul and worse. Vazhapadi had wounded the hearts of thousands of DMK cadres, he regretted and without giving a chance to Ramamurthy to explain, or consulting other partners, he announced that he was jettisoning the Tiwari Congress from the front.

Though this move raised the hackles of the other partners, it was Dr Ramddoss, founder of the PMK, who decided to take a hand in the matter and heal the breach in the interests of opposition unity.

Quite uncharacteristically he went about his job diplomatically, not making any public comment and pleading with both for some face-saving compromise. However, Karunanidhi was not to be moved.

Then a desperate Ramadoss pleaded for at least the convening of a meeting of the partners minus Vazhapadi in order to discuss the latest developments. Still Karunanidhi contemptuously spurned him. Finally the parting of ways came about, with the PMK protesting the big-brother attitude of the DMK. Now the front stands reduced to a five-member front combined with the CPI alone having some credibility apart from the DMK.

It is generally believed that it was the DMK which provoked it all - there was a method in its madness though. Vazhapadi is no respecter of persons or status and could be trusted to spoil the show anytime, could prove a very annoying gadfly in the event of the DMK-front's victory, demanding a share in the

ministry and creating problems thereafter. As for the PMK, though it has some strong following, it has also been accused of instigating the Daltis in the south in the recent murderous clashes - its presence could scare away the obos, some in the DMK feared.

Some others claim that the DMK is actually angling for an alliance with the Congress and hence Karnanidhi is forcing out those who might prove inconvenient. Sounds unlikely as of now but then Karunanidhi is capable of taking such decisions - he has done so in the past, in the case of Mrs Gandhi for instance - and one has to wait and see.

The PMK and Tiwari Congress (incidentally Vazhapadi is also a Vanniar and hence perhaps the rapport) are likely to join hands with the CPM-MDMK front. V Gopalasamy has already toned down his pro-LTTE utterances in deference to the CPM and has promised not to raise the Lankan issue at all from joint platforms. In order to accommodate Vazhapadi who likes to be seen as an anti-LTTE crusader, Gopalasamy could become even more of a dove in the coming days. Dr Ramadoss, another votary of the Tamil Tigers, is also discreet these days. How the coming together of these parties will affect the voting pattern remains to be seen.

For its part the DMK is gloating over the mammoth turn-out at Trichy for its eighth state-level conference. The rally taken out at the time went on and on for over 14 hours, Karunanidhi sitting through the ordeal, acknowledging the cheers from his followers.

There were a couple of resolutions and some statements which made one sit up and take notice. Like the one demanding autonomy for the states and Karunanidhi's veiled threats of more Kashmirs if the states were to be denied their due rights. General Secretary, Anbazhagan too lamented that the Tamil identity had been lost in the melting pot of India. There was also a resolution demanding that Tamil be made an official language of the Union.

The new Delhi-based newspapers went to town and feared that Tamil nationalism was running amok. The poor scribes, however, did not know that DMK's autonomy demands have always lacked conviction and they are meant to draw cheers from the gullible crowds and nothing more.

On the other hand the local press highlighted the tirades against Jayalalitha, the huge audience turn-out and Karunanidhi 'shrugging away of the PMK-Tiwari Congress affair'. "Our march will continue", he declared to thunderous ovations. Apparently to the fort St George and he is convinced, it looks like, this is his hour and that none could stand between him and the throne.

It is difficult to say whether his arrogant expectations are justified. Whether Jayalalitha is that discredited as to lose out in a multi-cornered contest is a moot point.

Also Congress leader, G K Moopanar is working overtime to rope in Rajnikanth who still plays coy. The actor's charisma seems to be so overwhelming that he could upset many a calculation including that of Karunanidhi.

In an interesting side-show every politician worth the name, including Karunanidhi, seeks to make out that he or she is on extremely friendly terms with Rajni and keeps telling the press of the "telephonic conversations" with him while he himself remains elusive.

Meantime Jayalalitha is also holding her Party Conference at Trichy and threatens to hold rallies which could last more than 24 hours! Her name too is linked to the Hawala racket shaking the entire nation. She figures in the August company of Rajiv Gandhi and Narasimha Rao - the CBI says the allegations against the three are yet to be corroborated.

Whether all this means renewed alliance with the Congress or Rao will emerge cleaner and stronger and hence opt for Rajni and how much more fragmented the opposition could become, all this will become clear next month. ●

Peace Council warns of 'mutual destruction'

The National Peace Council has condemned the bombing of the Central Bank (CB) and warns that a continuation of the war will mean 'mutual destruction and suffering'.

'The bombing of the Central Bank brought the destruction and suffering of the Government-LTTE war into the heart of Colombo. This bomb blast was a continuation, and extreme expression, of the destructive logic of the war and calls for more urgent action to prevent any further escalation of the civil war.

'The National Peace Council has consistently condemned the targeting of civilians by both sides. The NPC condemns the bombing of the Central Bank which is an attack of unprecedented magnitude and condoles with the victims and their families. However much a party feels it has been left with no other option than attacking civilian targets, this cannot be justified.

'During the past several years an escalatory dynamic in the level of violence has been observable. The estimated cost of reconstructing and rehabilitating the north-east prior to the most recent commencement of hostilities was estimated to be Rs. 40 billion. The human cost cannot be measured. A continuation of the war will mean a magnitude of mutual destruction and suffering that is incalculable.

In the present war there is a tragic pattern in which civilians are the main victims of the conflict. The fear that gripped Colombo over rumours that the water supply had been poisoned indicates how vulnerable the civilian population has come to feel outside as well as in the north-east. The danger exists of an environment of paranoia being created in which attempts may be made to justify any actions in the interests of self-defence.

The NPC therefore urges both the government and LTTE not to push either side into a corner from which it feels it can only extricate itself by a further escalation of the conflict. There has been an unvarying logic of escalated violence being followed by a counter-escalation. Accordingly the NPC has taken a consistent position that peace cannot be won through war.

During the past month the NPC has been undertaking a poster and media campaign on the theme of 'Peace for Children'. The message in it about the futility of war has yielded a positive response from the masses of people many of whom spontaneously joined in the campaign.

The NPC appeals to the conflicting parties to take cognisance of the desire for peace amongh the people, not to engage in atrocities and to resolve to negotiate with one another. The NPC welcomes the news that President Kumaratunga will be having direct talks with opposition leaders. The NPC hopes that the LTTE will become a part of this process very soon. We note in this context that third party mediation acceptable to the conflicting parties has helped to resolve seemingly unsolvable conflicts elsewhere in the world.

Family Politics In The Sub-Continent

By Nagarjunan

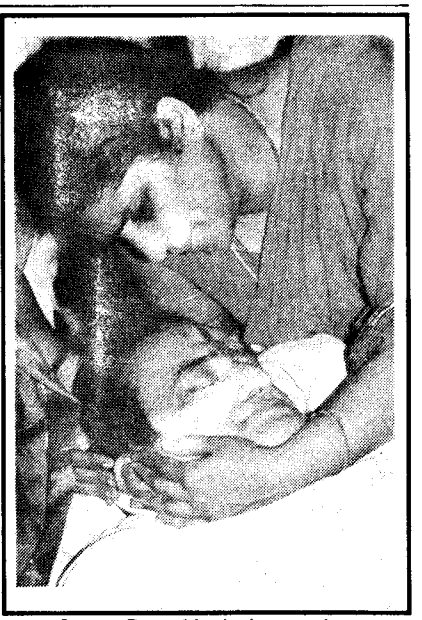
Someone must attempt to substitute the question "What is the effect of dynastic succession on modern politics in the Indian subcontinent" with "What is the effect of modern politics on dynasties in the subcontinent?" The latest occasion for such reversed thinking is being provided by the power-tussle in the Telugu Desam Party, which is at once the ruling and the principal opposition party in Andhra Pradesh - thanks to N T Rama Rao, whose crude mystique sustained the Telugu filmdom for decades.

Any attempt to analysis of NTR's life which ended in a heart attack last month would baffle the would-be analyser. It surprised none that Lakshmi Siva Parvathi, who came to him to write his biography, ended up marrying him! Such are NTR's avatars: here is someone whose political life is even more astounding than his five-decade-long film career, both constituted by his roles as Gods Rama and Krishna; whose idea of Chaitanya election rath became the model for North Indian politicians; whose discourse covers the entire spectrum of political discourse in the subcontinent, from crude Hindutva to vigilante populism to extremist Naxalism (remember, he always called the Naxalites as his younger brothers); whose dresses included from the Sanyasin's ochre robes to the management executive's safari suit; whose sche mes ranged from the Rs.2 per kg rice for poor to total prohibition in a state flush with liquor; whose pathetic efforts to renounce the world ended in a second marriage to his would-be biographer, very similar to the fate of Brahma rishi Viswamitra, whose role he loved playing to ensure the upliftment of the Trishankus, the backward castes, to the heavens; who was toppled from power twice by his very proteges early on in 1984 and now.

NTR with Jayalalitha (the present Tamil Nadu C. M.) in the film Sri Krishna Sathya

True to the subcontinent's political style, there is now a fight for NTR's mantle in Andhra Pra- desh. His second wife and son-in-law and Chief Minister N.Chandrababu Nai- du are slugging it out. It all started last year with Chief Minister NTR becoming the Dasaratha, instead of Rama, when Naidu, five of NTR's six daughters and four of NTR's sons and daughters went one step ahead accusing Parvathi of not just being the Menaka who seduced the angry sage who had renounced the world, but as Kaikeyi who saved the patriarch's life when he suffered a paralytic stroke only to ask for boons when he returned to power. NTR told them that he was indebted to Parvathi, and hence, she would inherit his mantle. This led to a simple palace coup in August last in which Naidu was installed as CM thanks to the blessings of the Delhi Mughals who wanted to cut down the Telugu Desam Party to size and NTR hit the road again, as he did in 1984 when Mrs Indira Gandhi tried to get him dismissed by a similar act of beatrayal.

That NTR was once again on a comeback trail after his recent ouster was evident, though he seemed somewhat tired enacting the jaded hero -betr ayer-villain script against his wily son-in-law. In the last one year of its reign, the Telugu Desam Party has been in a state of turmoil with a majority of the backward castes jostling for power within the party and the government. Apparently, NTR could neither satisfy the ambitions of his own Khamma caste men nor perform the delicate balancing act between various caste and class interests. His own legislators ditched him since they were keen to retain their posts while he recommended dissolution of the state assembly and was ever ready to fight another election to establish his supremacy. In the meantime, NTR, the Rama, even got a Vibhishana from Naidu, the Ravana. He managed to win back his disgruntled elder son-in-law Alludu Daggupati Venkateswara Rao, a doctor by education and currently a member of the Lok Sabha. After NTR's death, Alludu has been named the working president and elder sister Parvathi, president of the TDP (NTR) faction which has vowed to unseat Naidu, the villain whose usurping power constitutes an intermission in NTR's Rama Rajyam.



Luxmy Parvathi grieving over her husband's unexpected death

By so doing did a repeat of the Jayalalitha act(following MGR's death) when NTR's body was being taken out for cremation, Parvathi proved that she is even better at the political role play than NTR. She cried and stuck it out with the body until she was promptly pushed out by NTR's son Harikrishna, a minister in the Naidu cabinet. Then she staged a dharna for getting NTR's ashes to get them immersed in the holy rivers of the sub-continent. She even went to Allahabad to get them Immersed in the Triveni Sangham where the Ganga, Yamuna and the mythical Sarashwathi meet. Now that her baptism by the subcontinent's fire of traditionalist politics is complete, the Janata Dal leaders led by V P Singh and Sharad Yadav are keen to lend support to her by

attending a Vijayawada rally which NTR had initially proposed to hold.

The journalist script goes further as follows: Naidu has to prove that he is not a pushover either. He already enjoys the support of the left parties. He is easily accessible to the gullible people of Andhra some of whom still think he is with the late NTR. Having been in the student Congress(I) in his early days in politics, he knows how to get Prime Minister P V Narasimha Rao's support since Mr Rao is looking for some Lok Sabha seats from Andhra for his embattled Congress(I). Hence, it will be a tough task for Parvathi to prove that she retains NTR's support bases among the backward castes and the poor and also avoid the return of Congress(I) to the political centre stage as envisaged by Mr Narasimha Rao.

Electoral fortunes apart, this coming battle in Andhra is certain to throw up questions which social scientists, especially those among the left, have never managed to face up to. They have assumed that dynastic succession is a bane of, or at least an idiosyncrasy in, the modern politics of the subcontinent. Maybe, what is truer is the converse. Modern politics could well have become an idiosyncrasy in the subcontinent having had to coexist, for the last several decades, with nationalist heroism and its genetic consequence of dynastic succession. Heroes are constituted by sophisticated prince-statesman turned freedom-fighters like Jawaharlal Nehru in those days and their crude imitations like Rajiv Gandhi these days, avatars like NTR, nice film faces like Rajesh Khanna and Vigilante film men like Rajnikanth and Shatrughan Sinha and cricketers-turned heroes like Imran Khan. Even if they cannot make it to the top of politics, they are necessary for display at the spectrum of leaders in every political party. Sometimes, as in the case of Jayalalitha, a widow/orphan act with finesse and manage to reach the top.

Parvathie's widow/orphan role play has parallels in Delhi, Durbar's Sonia, Pakistan's Benazir and Murtaza, Bangla Desh's Hasina and Khaleda and others in the subcontinent who had been or are at loggerheads either with their own kinspersons or found a dynasty like Mr Narasimha Rao whose two sons are in state-level politics. There are variations in the script of dynastic succession in the form of aftermaths of political assassinations, palace coups and, why not, even adoption of left-wing rhetoric, to sustain the spectator's interest. However, it should also be remembered that any such script can last only until the interest of the spectator's who are the people, can be sustained. ●

THE POLITICS OF FESTIVALS BEFORE ELECTIONS

By Nagarjunan

In the election year, Tamil Nadu is witnessing what can only be called veritable post-modernistic festivals sought to be organised by major political parties. The opposition DMK is way ahead of other parties in the organisation of such festivals with a purpose. Party chief Kalaignar M.Karunanidhi dashed off eleven successive letters in his party newspaper,Murasoli, to his 'younger brothers' appealing to them go to Tiruchchi, and thousands of DMK cadres heeded to his call and turned up at Tiruchirapalli, the hapless city on the banks of the Cauvery and from where the hoary dynasties of Cholas had ruled, as it happened in the last few days of January for the DMK members followed by the ruling All India Anna DMK meet called by Chief Minister J Jayalalitha.

Tiruchirapalli and Madurai, the latter ruled by the Pandyas, are both located in the centre of Tamil Nadu. They invariably are the venues of these party meets euphemistically called conferences. Indeed, these events do seem to take back the poor contemporary Tamils to some ancient glorious era. It is a moot question whether they can be named conferences in the real sense of the term. What is in a name, asked Shakespeare. Well, names are everything about these events which are huge and spectacular. The just-concluded DMK conference was called Tiruppumunai Maanadu (Turning Point), signifying the party's to-be-successful march to the seat of power in the colonial Fort St George at Madras. The oncoming AIADMK conference is called *Puratchi Yugathin Ezhuchi Maanadu* (The Awakening Conference of the Revolutionary Era), indicating that the revolution (of whatever kind) already heralded by Ms Jayalalitha in Tamil life.

The conferences are kind of carnivals for which party cadres slog for weeks on end to prepare. In the case of the AIADMK, officials and contractors do most of the slogging. The majority of the party cadres make it in all sorts of conceivable vehicles to their respective venues, on whose entrances can be seen lavish fortress-like gaudy cutouts of bygone eras signifying heady nostalgia. Of course, the AIADMK is keen to deploy state-owned Corporation buses for picking up its cadres. Huge rallies spilling over to the night and the next day are a must. Party leaders invariably exhibit their well known tough capacities of sleeplessness by witnessing these rallies from special daises erected in the style of monumental architectural works. Cutouts of deceased political giants including Dravidian patriarch Periyar, elder brother C N Anna (durai) and Puratchi Thalaivar MGR and living legends Doctor Kalaignar and Puratchi Thalaivi dot the worn-out highways and city roads making the average Tamil forget the existence of even the skies for two or three days.

The meets do get a lot of coverage from hack journalists from Madras who are very much part of these conferences. They endlessly speculate on the political importance, or otherwise, of the resolutions passed, the alliances made and broken and the themes and leaders launched and forgotten at these events. Nevertheless, the journalists are oblivious of the fact that these meets signify a certain transformation of the Tamil public sphere, during which process the Tamil identity comes to the fore in a uniquely dramatic way, only to disintegrate, or to get dispersed, after a while.

In the era of identity-politics, the Tamil intellectual has a lot to think about. Of course, a number of political commentators would seize this opportunity to dub any such thinking as "secessionist". The question is primarily cultural and political only later. Is the Tamil identity a dispersed and differentiated one, as conceptualised by modernists, or a disfigured one, as highlighted by DMK general secretary K Anbazhagan in his speech at the DMK meet? He lamented that the Tamils are indeed a nation disfigured, ruled by aliens for the major part of their recent history and unable to form a cohesive whole. "Tamils are so when they are together at these conferences. They go home and their identity gets scattered. They forget Tamil, become slavish to other languages, cultures and ways of life," he observed. Modernists, on the other hand, think that, in the absence of a clear formation of Tamil identity, these conferences have managed to become a public sphere where an imagined Tamil

Sovereign is "on display", to quote the Tamil poet Atmanaam who is no more.

It would be difficult to look at Tamil politics without dramatism, but if one manages to do that, the DMK, with a strong political base and organisational base, seems to have had a head start over its main rival, the ruling AIADMK, which is facing the heat of well-justified corruption and criminalisation charges. The party has also been strengthened by the return of its cadres from the breakaway Marumalarchi DMK founded by V Gopalasamy two years ago. The DMK is trying to recall and instill, among its cadres, a sense of secularism, the need for ensuring Tamil identity and the issue of extending affirmative reservations for socially and educationally backward classes from the state to the central level. The party has demanded that at least Tamil be made the official language of the Union, if the Union government did not concede its earlier demand for making all the Indian language like Tamil has been relegated to the background even five decades after Independence. It is all the more tragic that such a basic demand, as the one made by the DMK, has been dubbed as secessionist.

The Congress(I) is still not decided whether to align with Ms Jayalalitha or with the recently-launches MGR Front, which is full of disgruntled AIADMK men led by R M Veerappan, who is banking on support from the ageing and hesitant hero of the silver screen, Rajnikanth. Alas, the MGR Front could not even hold a rally to invoke its deity of diminishing returns, M G Ramachandran, at Madurai as scheduled on 31 January. The fourth front is a shunt yard formation of political parties including the Marumalarchi DMK, which unconditionally admires the LTTE, the Communist Party of India (Marxist), which does not believe in the very idea of Tamil nationality, the Pattali Makkal Katchi of Dr S Ramadoss, who thinks that Raul Gandhi (son of Rajiv) is propped up by the CIA to rule India and the Indira Congress led by Vazhapadi K Ramamurthy who swears by Mrs Sonia Gandhi as the hope of the country. The front is hell bent on demonstrating that none of these contradictions among them can prevent their coming together for the sole purpose of contesting the elections.

The elections themselves will be another costly festival. Going by past experience, the AIADMK will not hesitate to make it a bloody one by misusing the official machinery which has remained sycophantic to Ms Jayalalitha for the last four years. Of the three fronts, the DMK alone has the capacity and wherewithal to check Ms Jayalalitha's wild run in office which has been dominated by various corruption scandals and abuse of power by her foster-family which includes her foster-sister Mrs Sasikala Natarajan, foster-brother-in-law Natarajan, foster-son Sudhakaran, foster-nephews Dinakaran and Shaskaran. In the process, Tamil Nadu itself has become her foster-land, in a manner of speaking. While the national political discourse is lamenting the criminalisation of politics, Ms Jaylalitha has recently nominated Adhi Rajaram, a party functionary who became famous by organising a film-style assault on Mr K Vijayan, an advocate who chose to contest the reservation policy of the state government. (Following expression of widespread outrage, Rajram has now been dropped as the candidate).

Politics apart, what has been most distressing in Tamil Nadu is the fierce clashes and enmity between a section of the Scheduled Castes hitherto known as Pallars and the Maravars, one of the most educationally backward castes known for their fierceness, in the southern districts of the state. Of course, the Scheduled Castes have been at the receiving end of social and political discourse for a long time, but it is also true that there have been some cultural institutions, erected in the course of history, to avoid violent clashes. Of late, these institutions have collapsed and the rise of Dalit consciousness has put the entire community of Scheduled Castes at loggerheads with the Maravars. More than fifty lives have been lost in the last few months in the clashes and the state police has been accused of siding with the maravars at several places. The ruling AIADMK is also alleged to have provoked and aided the Maravars to attack the Scheduled Castes at Kodiyankulam Village. It is to be seen whether the clashes would affect the chances of the AIADMK in the elections.

(Continued from page 18)

plete picture of the events preceding and following the exodus of people from the Valigamam and Jaffna town areas of the peninsula and seems to be intended to serve only one goal, namely to discredit the LTTE. The authors of these reports under the pseudonym UTHR (Jaffna) with a view to winning respect and credibility from its readers by misleading them into believing that the Jaffna University Teachers are associated with their reports.

We wish to deny categorically, once again, that any teachers of the University of Jaffna other than these two ex-staff members are in any way connected directly or indirectly with this organisation called UTHR (Jaffna) and we challenge the organisation to disprove our assertion.The authors of the report have not even visited the North ever since they ceased to be members of the University staff five years ago. They have taken up residence in an area outside the theatre of war and have no first hand knowledge of the conditions here. Whatever they publish has to be based on information supplied to them either by the government or the people travelling to Colombo from the North and such information and the inferences the authors have made from them are highly selective and suited to their goal of vilification of the LTTE.

The people living in the North, including ourselves, have suffered infinitely more hardships due to military action by the Sri Lankan security forces and the oppressive administrative actions of the Sri Lankan government than due to any human rights violations of the LTTE. Hundreds of civilians have been killed in a gruesome manner and thousands have suffered serious injuries as a result to the indiscriminate artillery shelling and aerial bombing of thickly populated civilian areas by the security forces. A large number of houses have also been completely damaged due to the same reasons. Under these circumstances the people living in the war torn area needed no encouragement or coercion from the LTTE or any other sources to leave the area and seek shelter elsewhere when there was a sudden worsening of the security situation. In fact, people who valued their lives more than their properties quickly sought shelter elsewhere as they did during the previous military operations in the peninsula, the islands and the eastern province. Heavier civilian casualties were avoided not because of the sympathy and concern shown by the security forces to the safety of civilians but due to the timely evacuation of the civilians from the area of conflict. Perhaps the authors of the report are not aware that people are still leaving the Vadamaratchchi due to intense artillery shelling which has claimed more than fifteen lives during the last two months and caused serious injuries to several more. Incidentally, the appeal by the government to the civilians to return to the "liberated area" sounds hollow under these circumstances.

The above human rights violations by the security forces and those of the government in preventing free flow of food, medicine, liquid cash and other essential items to the North, detaining mails and postal articles destined to the North in Colombo for several months, indiscriminate arrest and harassment of Tamil people in the South and detaining Tamils

who travelled to Colombo in transit camps in Vavuniya irrespective of their age, sex or status, do not apparently seem to the authors as serious human rights violations as those purported to have been committed by the LTTE. If these matters are referred to at all, they find only casual mention in the reports and their inclusion seems to be intended to give a semblance of impartiality with a view of hiding the real purpose of the reports.

We are surprised that even the BBC and particularly its Tamil service which has been one of the few dependable sources of news for the Tamil people in Northern Sri Lanka has come under attack by this so called human rights organisation. It appears that the popularity of the BBC among the Tamil people seems to be a cause of worry for the authors of the report. We would like to congratulate the BBC and urge them to continue their impartial reporting without being deterred by the comments or criticismby organisations like the UTHR (Jaffna).It is not clear on whose behalf or for whose benefit the authors have been preparing these reports but it is obvious that the reports will not serve the cause of the Tamils who have been struggling for over four decades to liberate themselves from the tyranny of an ethnic majority, first peacefully, and having failed in their peaceful attempts, now militarily."

LETTERS

UTHR(J)

You have allocated over 6 pages to Part I of the report 'Exodus from Jaffna' (Tamil Times January 1996). Will you give me even one-tenth of that space to comment on the motives of these self-appointed arbiters of justice for Tamils?

One thing which rankles me is the hypocrisy and deception employed by this group who issues statements to international news media without having the courage, courtesy and conviction (to speak on behalf of Jaffna Tamils) to identify themselves openly. These self-serving intellectuals flour the first law of teaching ie to set an example of holding oneself responsible for the statements delivered by one's mouth or hand. They only seem to have mastered the art of writing anonymous literature (which is a mix of hearsay, fictional guesses, unsubstantiated documentation, confession and commentary).

Dr S Sivasegaram was correct to point out in the same January 1996 issue that "the so-called UTHR (J) seems to be well informed about even the smallest violation of human rights by the LTTE but rather ignorant about what the Tamils in Colombo are facing". This is ironic because the brains which type out these human rights abuse of Tamils currently live in Colombo.

a few weeks ago I received a distressing letter from my cousin (who lives in Kotahena) that my father who had lived in Colombo since 1959 and is over 70 years old, was taken for 'police checking' in the early hours of the morning (2.00am), detained for nearly 20 hours and was released. He should consider himself extremely lucky that in the past few years, many Tamils (and Sinhalese as a well) disappeared after such 'calls' by the law enforcement authorities. The Gestapo State is thriving in the regions of Sri Lanka which are not under the influence of LTTE. But, for their own convenience, the UTHR(J) folks pretend not to see, hear or talk about the human rights abuses occurring to Tamils in the capital of Sri Lanka. This brings to question their integrity to the cause of human rights. Are they just serving as a the 'front' for the Sri Lankan Government? From whom are they getting the funds and patronage? Can they provide a figure for the total membership of their organisation?

Long ago, Confucius admonished the Chinese peasants: "You will not see anything if you learn but do not think. It is dangerous if you think without learning". I'm of the opinion that the anonymous "University Teachers" who pretend to protect the Tamil interests are not thinking about what they learn or that they are thinking too much without learning.

Sachi Sri Kantha,
5-16-305 Tsukimicho,
Fukuroi City,
Shizuoka 437-01, Japan

Detained Priests Released

The Catholic Bishops' Conference in Sri Lanka in a communique on 29 January said that the Conference had been informed that Rev. Frs. Saverimuthu Jebanesan and Emmanuel Pius of the diocesan clergy of Jaffna who were in CIB detention had been released without any charges.

The communique signed by Bishop Vianney Fernando (President) and Bishop Malcolm Ranjith (Secretary-General) said:

'Cash and all other items taken in along with them had been released to them by the police. These two senior Catholic priests who were active in rendering much needed assistance to the refugees of the diocese of Jaffna over a long period of time were detained by the CID in early December, 1995 because of their non-declaration of cash which they had been carrying to the North for such relief work. They had also been found to be carrying with them a negligible quantity of three banned items for personal use.

'Taking cash to the North had not been in the prohibited list that time, thereby making them not culpable of any wrong doing on that count. They had provided adequate proof to the police about the purpose for which they took the cash i.e. for the supply of immediate assistance to people displaced by the war. Letters through which the Catholic Bishop of Jaffna had asked for such cash and through which the Government Agent of Kilinochchi had recommended this request had been produced.

'The other items they had with them were four pen torch batteries, 2½ kilograms of armature winding wire for repairs to a generator in the parish of Kilinochchi and three motor cycle oil seals. These do not constitute a quantity that can be suspected as being part of any smuggling operation as it was loudly alleged over some sections of the public media then. There was no false bottom in their vehicle inside which these items had been, as was alleged, deliberately hidden.

'Truth has triumphed and a vicious campaign organised and orchestated by certain sections of the media with vested interests has been proved to be "much ado about nothing". The church had been accused over the media as an "accomplice" in wrong doing, supporters of the LTTE etc., etc. over a small incident involving these two priests and they too have not been found responsible for wrong doing. Their *bona fides* had been established. According to our criminal justice system, an accused is always held to be innocent until a wrong doing has been conclusively proved.

'We are thankful to the Government for putting the record straight as far as these accusations against the institution of the Catholic Church are concerned through a statement made by the Hon. Minister of Media, Tourism and Aviation, Hon. Dharmasiri Senanayake on 1 December 1995. We are also thankful to the police and the CID for the impartial and just way in which the inquiries were conducted and concluded'.

BOOK REVIEW

ANGUISH - II, 1990-1995

- C Suriyakumaran

K V G de Silva (Colombo) Ltd - May 1995

Review By S. Sanderasegaram
Head of Social Science & Education
University of Colombo

This book deals with a wide range of topics mainly related to the ethnic problem in Sri Lanka, devolution framework, issues related to it and some of the perceptions and misperceptions entertained by the people who see the problems from their own perspective. As pointed out by R Siriwardhana in his foreword, this book contains a wealth of ideas which have a bearing on the issues of devolution, power-sharing and movement towards a genuine pluralist, democratic society. A definite concern for building up a healthy nation by establishing a cordial relationship among ethnic groups based on democratic principles is revealed by the author throughout the book.

The author, Professor C Suriyakumaran, is an outstanding personality who closely associated with S W R D Bandaranaike in his ideas on regional devolution, and in the B-C Pact of 1957. E is not only an author of several publications pertaining to local government, finance, devolution and environmental issues but also a renowned international civil servant who has served in several UN related agencies. Recently he was handsomely rewarded by the Japanese Sasakawa Foundation for his invaluable contribution to conservation of the environment.

This publication of Professor Suriyakumaran is a collection of articles and essays which came out as responses to various issues, perceptions and misperceptions expressed by diverse members of Sri Lankan society. All thirty articles are worth reading to widen our horizon of knowledge pertaining to some of the burning issues of the day; the views expressed are not partisan and parochial but based on rational and objective thinking. Some of the following ideas in regard to the present crisis expressed by the author are forthright and based on his thoughts on future logical perspectives and experiences as a scholar.

- The greatest calamity would be any shortsighted thinking... to delink the East at once, to colonise it...

- Non-governmental intermediation... would seem to be the first required step.

- The effect of an ethnic ratio policy would soon be a 'distancing' of the Tamil speaking areas from the centre.

- While the politics of devolution has been divisive, the principles of devolution are in fact highly integrative.

- Nobody will win from the war, instead, ultimately everybody will be defeated. Both sides have to sacrifice at least something in order to see a peaceful solution.

- A truly multi-ethnic, entirely non-partisan group to be formed... that could see the genuine concern of all the communities.

It is in respect of the principle of devolution, more material, useful suggestion and explanations could be found in most of the essays. The author has attempted to give a comprehensive list of requisites of an adequate devolutionary structure and the institutional structures for the devolutionary system. The ideas reflected a decision to give clear-cut guidelines to policy makers and those thinking aloud about a viable solution to the ethnic problem; for example the essential attributes of the cantonal concept has received the attention of the author, the restrictions placed by the centre on the devolved subjects are given by him in a schedule. It is the author's considered view that the pradeshiya level decentralisation does not mean 'devolution outside the Provincial Council' as claimed by some analysts.

The author has also expressed his views on controversial subjects such as the Tamil homeland theory, university admissions policy, inability of the 1995 Budget to ensure sustainable development and a piece title "Thoughts of Kittu" with whom he had discussions on the ethnic problem.

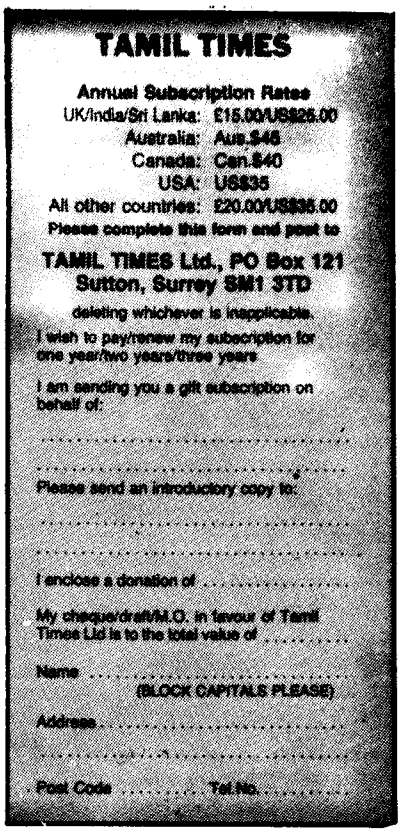
The style of language employed by the author is somewhat philosophic. If not rhetoric and it is an attempt to elucidate and draw out the principles involved in the issues rather than narrating events in sequence. As there are thirty essays and several annexes pertaining to the essay, themes which are mostly not connected to each other, the book has to be taken as author's random thoughts on different issues that came up at different times. It would have been more useful to the average reader if the material found in the different essays had been organised under clear-cut headings such as dimensions of ethnic problems and analysis of the principles and practice of devolution.

The analytic capacity, innovative thinking and the initiative of the author to clear some of the misconceptions entertained by some interpreters are among the inherent qualities which necessitate reading this book by those seeking fresh interpretations and understanding of the current issues and their solutions.

Past Copies of Tamil Times

Past copies of Tamil Times are available for sale in 14 volumes, the present series being volume 15. The price of each volume is £25 by surface mail. The price for each volume in other currencies is US$45/Can$50/Aus$55. Australian dollar cheques should be drawn on Australian Banks only. Those interested are requested to send a cheque/-draft/money order in favour of Tamil Times Ltd to

The Circulation Manager, Tamil Times Ltd., P.O. Box 121, Sutton Surrey SM1 3TD, U.K.



CLASSIFIED ADS

First 20 words £10. Each additional word 60p. Charge for Box No. £3. (Vat 17½% extra) Prepayment essential
The Advertisement Manager,
Tamil Times Ltd., PO Box 121,
Sutton, Surrey SM1 3TD
Phone: 0181-644 0972 Fax: 0181-241 4557

MATRIMONIAL

Hindu physician sister *seeks qualified partner for sister, 43, 5'3", teacher in Colombo, divorcee without encumbrances. Widowers considered. M 830 c/o Tamil Times.*

Jaffna Hindu brother *seeks groom for his sister, secretary, 34, in UK employment. Send details, horoscope. M 831 c/o Tamil Times.*

Jaffna Hindu brother *seeks preferably professional bride under 33 for his brother, accountant, 37, well established in UK. Send horoscope, details. M 832 c/o Tamil Times.*

Jaffna Hindu brother *seeks professional partner, preferably doctor for brother, 34, Australian citizen, qualified accountant with MBA holding management position. Send horoscope, details. M 833 c/o Tamil Times.*

Parents, Jaffna Tamil *seek steady caring husband for their British born daughter, twenty-four, with steady employment in leading bank. Religion immaterial. Parents will assist towards start in life. Send brief details, photograph (returnable). M 834 c/o Tamil Times.*

Parent *seeks suitable partner below 35 for engineer son, self employed abroad, handicapped but manages on own. Religion immaterial. M 835 c/o Tamil Times.*

WEDDING BELLS

We congratulate the following couples on their recent wedding.

Gnanasoruban *son of Mr. & Mrs. Kanagasabai of 101 Thamesdale, London Colney, St. Albans, Herts. and* **Sumathy** *daughter of Mr. & Mrs. Kanagalingam of 1454 Greenford Road, Greenford, Middx., on 21.1.96 at Wandsworth Civic Suite, Wandsworth High Street, London SW18.*

Sathiyabalan *son of the late Mr. Kumarasamy and Mrs. T. Kumarasamy of Third Mile, KKS Road, Kokuvil, Jaffna and* **Nithiyaluxmy** *daughter of Mr. & Mrs. S,T. Shanmuganathan of Uyarapulam, Anaicoddai, Jaffna on 11.1.96 at Enfield Bowling Club Hall, New South Wales, Australia.*

Navin *son of Mr. & Mrs. Samarakoon of 35B Summit Flats, Keppetipola Mawatha, Colombo 3 and* **Lakshmi** *daughter of Mr. & Mrs. Ganeson of 59 Summit Road, Northolt, Middx., on 11.1.96 at Wandsworth Civic Suite, Wandsworth High Street, London SW18.*

Ahilan *son of Mr. & Mrs. K. Nithiananthan of 4A Syon Park Gardens, Osterley, Isleworth, Middlesex TW7 5NB and* **Daruni** *daughter of Mr. & Mrs. N. Kanesu of 5/1 Kynsey Terrace, Colombo 8 on 11.2.96 at Hotel Lanka Oberoi, Colombo 3.*

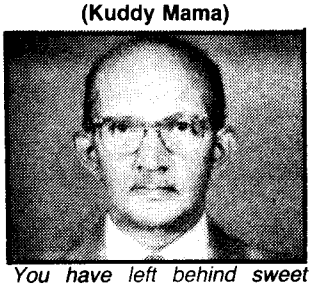
Laurian *son of the late Mr. Cedric Chapman and Mrs. Chapman of Colombo, Sri Lanka and* **Devamala** *only daughter of Prof. and Mrs. G.G.R. Thambyahpillay of the University of Maiduguri, Borno State, Nigeria on 30th December 1995 at the Uniting Church, Box Hill, Melbourne, Australia.*

OBITUARIES

Mrs. Kanagammah Visvaratnam, *beloved wife of Mr. V. Visvaratnam, Retired Teacher, Koddady, Jaffna; loving mother of Mrs. Vijayambikai Shanmugasundaram, Mrs. Vijayakumari Shanmugasundaran (both of Sri Lanka), Vijayakanthan (Canada), Vijayakumar (Kuddy), Vijayananthan (both of UK), Vijayabalan (Sri Lanka) and Vijayaranjan (Canada) passed away on 20.2.96 in Puttalam, Sri Lanka and was cremated on the 21st. – 39 Saree Road, London NW2. Tel: 0171 435 5022/0181 851 2181.*

IN MEMORIAM

Second Death Anniversary of the late
Saravanamuthu Ilankanathan (Kuddy Mama)



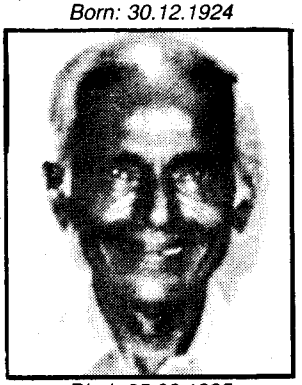
You have left behind sweet memories of your kind deeds, love and affection and all your interesting jokes.

Sadly missed and fondly remembered by Seeni Acca, Leela, Urmila, Kuha, Shobi, Ranji, In-laws, nephews, nieces and friends – 58 Ringwood, South Bretton, Peterborough. Tel: 01733 262760.

In loving memory of **Mr. Chelliah Sivasampu** *on the fourth anniversary of his passing away on 9th March 1992.*

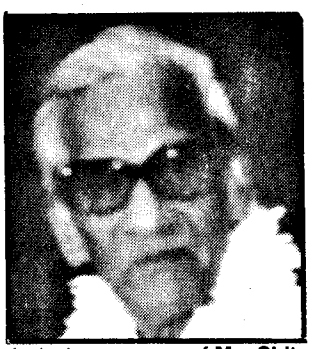
Sadly missed and fondly remembered by his two sons. – 15 Wolsey Way, Chessington, Surrey KT9 1XQ.

In loving memory of
M.A. Vellupillai
(Education and Income Tax)
Born: 30.12.1924



Died: 05.02.1995

Remembered on the first anniversary of his passing away by his family and friends who have adored him in life. – T. Senthyvel, R. Sivagnanasundaram, T. Chithambaranadarajah, Aloy Ratnasingham, P. Paramalingam.



In loving memory of **Mr. Chittampalam Subramaniam** *(Orator) on the second anniversary of his passing away on 18th February 1994.*

Sadly missed and fondly remembered by his wife Annaratnam; children Kandasamy, Gnanaranjini, Pathmasany, Chitsabesan and Dr. Vasanthan; son-in-law Dr. Puvanarajan; daughters-in-law Malini, Kumuthini and Dr. Premila; sister Sinnammah Somasegeram; nephews Dr. Sothinathan and Kanagasabai; grand children Janani, Vaani, Senthuran, Yamini, Lohita, Praneeta, Thayalan, Anjali, Mahen, Mithran, Lakshman and Rishi.

FORTHCOMING EVENTS

March 1 *Eekathasi; Feast of St. David.*

Mar. 2 *Sani Pirathosam.*

Mar. 3 *Second Sunday in Lent.*

Mar. 4 *Masi Maham.*

Mar. 5 *Full Moon.*

Mar. 10 *Third Sunday in Lent.*

Mar. 15 *Eekathasi.*

Mar. 17 *Pirathosam; Fourth Sunday in Lent; Feast of St. Patrick.*

Mar. 19 *Amavasai; Feast of St. Joseph.*

Mar. 23 *Chathurthi & Karthigai.*

Mar. 24 *Fifth Sunday in Lent.*

Mar. 25 *Shashti; Feast of the Annunciation of the Lord, Jesus Christ.*

Mar. 28 *Sri Rama Navami.*

Mar. 30 *Eekathasi; 11.00am Colobuthurai Yoga Swamigal Guru poojah at Shree Ganapathy Temple, 123 Effra Road, London SW19. All welcome.*

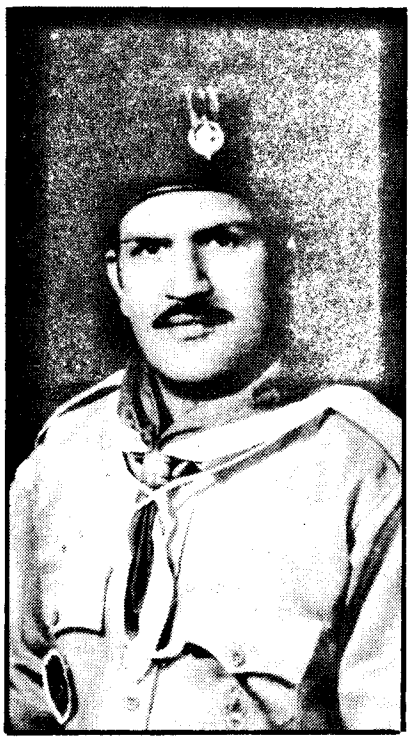
Mar. 31 *Palm Sunday.*

At Bhawan Centre, 4A Castletown Road, London W14 9HQ. Tel: 0171 381 3086/ 4608.

Mar. 1 *7.45pm Vina, Sitar, Violin Concert by Sivasakthi Sivanesan, Dharmabir Singh & Chandrashekhar.*

Mar. 17 *6.00pm Katak by Ashim Bandhu Bhattacharya from India.*

S. Muttucumaran – An Appreciation



Sithamparanatha Chettiar Muttucumaran associated with scouting for nearly quarter of a century from 1946 at Jaffna Hindu College passed away on 8.1.96 in Meesalai away from his home. Scouting at Jaffna Hindu had been moulded by scouting giants of the calibre of K.V. Mylvaganam, S.P. Rasiah, S. Jeyaveerasingam and V. Suntharajah, to mention a few but Muttucumaran was of a different mould. Scouting and Muttucumaran were inseparable at Jaffna Hindu. He stuck fast to the motto 'Once a scout, always a scout' and true to the word he dedicated all the resources at his command for the promotion of scouting at Jaffna Hindu and thereby the whole of the peninsula.

When scouting was revived after the war in 1946, he joined as a young scouter. The mid sixties saw scouting reaching great heights at Jaffna Hindu, securing the Rotary Challenge Shield in the All Jaffna Annual Rally, Island merit Flag for being the best Troupe in the Island, the Sir Andrew Caldecott Challenge Bowl for the highest collection in the Chip-a-Job collections in the Island and three scouts from the college out of the seven representing Ceylon in the World Scout Jamboree at Idaho in USA. Much of the credit goes to Muttucumaran, the kingpin, who moulded and guided the destinies of the successful troupe.

Scouter Muttucumaran is no more with us now, but his dedicated service to scouting at Jaffna Hindu is a landmark which generations to come should cherish and enjoy.

Scouter V. Sivasubramaniam,
Victoria, Seychelles.

Kaleyvani's Dance Debut

The Bharata Natya Arangetram of Kaleyvani, daughter of Devan and Suntheri Rengasamy of Paris and pupil of Guru Sri Dayalasingam took place on 2.2.96 at the prestigious UNESCO Auditorium, Paris, in the presence of a large gathering. Kaleyvani was born in Mauritius and moved to Paris with her parents in her childhood. Her father is a Tamil scholar and a talented musician.

Guru Sri Dayalasingam, a Sri Lankan had his training from Adayar K. Lakshmanan of Madras and is the Director of his Dance School 'Narthanalayam', where Kaleyvani learnt this art from her ninth year. Most of the items from the arangetram were choreographed by Guru Dayalasingam. The Chief Guest Smt Anjali Janakiraman complimented the Guru for his services to the art in France and wished Kaleyvani a bright future.

The orchestra consisted of Sri Dayalasingam – Nattuvangam, Smt Ambika Thamotheram & Sri Devan Rengasamy – Vocal, Smt Komala – Violin, Smt Chandra Rangarajulu – Veena, Smt Kamala Pathmanathan – Flute and Sri Ravi Dharmaraja – Mirdangam.

Vadamaradchy Old Pupils' Association

The inaugural meeting of the Vadamaradchy Hindu Girls' College Past Pupils' Association was held on 23.12.95 at 112, The Fairway, North Wembley, Middx., UK. The meeting was presided by Mrs. L. Kumaraswamy, retired Principal and Mrs. V. Sooriyakumaran, President, PPA, Colombo Branch was the Chief Guest. Both spoke of the need to form the organisation in UK in order to help the school to regain its former glory.

The membership is open to all past pupils residing in Europe. Those intereted are requested to telephone one of the following numbers in the UK and get further information. 0181 482 7745 or 0181 942 5389.

Veena Arangetram of Naranee & Mathini

The Veena Arangetram of **Naranee and Mathini**, *daughters of Mr. & Mrs. M. Rudra- Rajan of 57 Beechcroft Avenue, New Malden, Surrey was held on 4.11.95 at Bharatiya Vidya Bhavan, London W14. They were trained by Bhavan's renowned Vocal Music and Veena teacher Smt Sivasakthi Sivanesan. The hall was packed for this special occasion. Naranee and Mathini showed by their splendid display that their Guru's trust in them was not misplaced.*

The programme began in the traditional manner with a Varnam **'Viriboni'** *and was followed by* **'Sree Ganeshathparam'**, *a Dikshitar composition in praise of Lord Ganesha. Naranee and Mathini played these pieces with ease and confidently. Then followed the masterpiece of Thyagaraja,* **'Endaro Mahanubhavula'** *– one of the Pancharatna Krithis. They played this in a suitably controlled, thoughtful and reflective manner. Next followed* **'Nagumomu'** *and* **'Shambo Mahadeva'** *both compositions of Thyagaraja. They were executed with much passion and depth of feeling, bringing out the rich melody of the ragas.*

After the intermission, we returned to another Kirtanam of Thyagaraja, **'Shobillu'**. *Then followed the Ragam, Tanam and Pallavi –* **Tharaka Brahma Swarupini** *– which is usually the highlight of a concert. Naranee and Mathini played this unhurriedly, navigating the transition between three speeds and the two Nadais in the Pallavi expertly. Their play of the Kalpana Swaras was imaginative and they combined with one another effortlessly towards the end. After this masterful display, there followed in quick progression a devotional song by Purandaradas, Subramanya Bharathiyar's* **'Theeratha Vilayattupillai'**, *Suddhananda Bharathiyar's* **'Kuyille'** *and a* **Thillana**, *and brought to a close with* **Thiruppugal** *and Mangalam.*

Continued on page 32

TUITION

For GCSE, GCE (A/L)
Pure Mathematics, Applied Mathematics, Physics
Telephone: 0181 682 3342

The accompanists were Sri Balachandar on Mridangam, Sri Prakash on Ghatam and Kumari Devaki Gnananandha on the Thambura. Smt Sivasakthi Sivanesan, their Guru was encouraging throughout, gently coaxing at times but mostly showing her appreciation and approval.

The two artistes show great promise. Their Guru and parents could justly be proud of them.

Sri (Dr.) Nagarajan.

AUSTRALIAN NEWSLETTER

Bharatha Natya Arangetram *of fifteen year old Apirami Arthieswaran, pupil of Ms. Anandavalli took place at the Parramatta Riverside Theatre, Sydney on 16.12.95. Apirami began her performance with Natana Ajali, followed by Kaali Kavuthuvan. The Varnam she chose was 'Saami Naan Unthan Adimai', choreographed by Udupi Lakshmi Narayan and it was performed with meticulous precision with abhinaya outstanding for someone of her age.*

After the intermission, she performed three pathams, a Thillana and ended with Mangalam. The accompanying artistes were Ms. Anandavalli – Nattuvangam, Vocal – Mrs. Shanmugaraghavan, Mrithangam – Mr. R. Balasri, Violin – Mr. B. Krishnakumar and Flute – Mr. N. Prathipan.

Australia day *to commemorate the birth of Modern Austalia was celebrated on 26th January. History has it that on 26th January 1788, men and officers of the First Fleet Flagship H.M.S. Supply cleared an adequate area at the head of Sydney Cove and erected a flagstaff. In the afternoon, the new Governor elect Captain General and Commander-in-Chief of New South Wales, Arthur Phillip and his officers came ashore and officiated at the Flag Raising Ceremony. With this simple ceremony, the great nation of Australia was born.*

Sri Lankan Tamils resident in the Strathfield and Homebush areas of Sydney played an active part in the Australia Day celebrations organised by the Strathfield Municipal Council in Strathfield Park. The ceremony commenced with the hoisting of the Australian National Flag and the singing of the National Anthem. There were Australia awards and a citizenship ceremony during which several migrants became Australian citizens.

There was a community cricket match – Australia vs Sri Lanka and a Horseshoe Pitching Contest. The Sri Lankan Tamil Senior Citizens entertained those present to hot Sri Lankan food.

Sri Venkateswara Temple, Sydney *was consecrated in June 1985. Additional deities of Siva, Parvati, Durga, Murugan, Rama, Hanuman and the Navagrahas were installed and the consecretation ceremony was held in January 1994. The second anniversary of the Maha Kumbhabishekam was held on 30.1.96. The celebrations with Homams was followed by poojas and archanas.*

Thai Poosam was celebrated on 4.2.96. Devotees carried in procession around the Temple chembus of milk which was used later for the Maha Abhishekam of Lord Murugan. Two devotees who had pierced their cheeks and tongue with metal 'vels' led the procession. These devotees had also pierced their chest and back with metal hooks from which hung dozens of limes. This is the first time that such an event was witnessed in Sydney and probably in the whole of Australia. the procession was accompanied by Natheswaram music.

Murugam Temple, Sydney *in Mays Hill celebrated the Thiruvempavai Festival from 27th December to 5th January. The devotees started gathering from 5 a.m. and sang Thiruvempavai songs which were broadcast on the local community radio station.*

Thai Poosam was also celebrated on a grand scale with special poojas.

CANADIAN NEWS LETTER

Weather: *It has been a bone chilling winter and the worst in a decade. Three street people were frozen to death in Toronto.*

February 4th: *While the Sinhalese residents celebrated their Independence from the British, a vast majority of the Tamils observed it as a day of mourning. About 300 of them took part in a fast organised by the Tamil Eelam Society. Mr. Jim Karygianmis, Federal M.P. for Scarborough served orange juice at the end of the fast to the participants and assured them that their grievances would be brought to the personal notice of the Prime Minister Hon. Jean Christian.*

Palikalum: *The Canada Centre for Performing Arts will present a Passion Play in Tamil called 'Palikulam' on the 30th of March in Scarborough and on the 31st in Mississauga. The play is produced and directed by the well known missionary Rev. Dr. N. Maria Savier. As this is an opening to serve the Lord through the Arts and a boost for the Tamil language, Tamils of all faiths and denominations are invited to join the cast and assist in this Easter production. Those interested are requested to contact Mr. K.R. Francis on (416) 495 1812.*

Music Festival: *Isai Kala Manram of Ontario held their annual music festival from 19th to 21st January at Yorkwoods Public Library. The patrons on the three days were Dr. A. Shanmugavadivel, Dr. Athi Kanapathy Somasundaram and Dr. S. Sooriyapalan. 220 students were successful in the various grade examinations conducted on the syllabus of the North Ceylon Oriental Music Society. They deserve our congratulations for maintaining a high standard. The current President of the Manram is Mr. T. Sri Pathy.*

The International Movement for Tamil Culture, Canada *is making elaborate arrangements to host the Sixth International Conference in Toronto from 24th to 26th August 1996 at the prestigious Metro Toronto Convention Centre which can seat over 3000. Registration has already commenced and the admission fee is 30 Canadian dollars. The address of their office is 2175 Victoria Park Avenue, Suite 204, Scarborough, Ontario M1R 1V6, Canada, Tel: (416) 444 8581. The principal officers are Mr. S. Chelliah, President, Tel: (416) 439 6418; Mr. M. Jesudasan, Secretary, Tel: (416) 444 8070 and Mr. K. Vigneswaran, Treasurer.*

Senior Tamils' Centre, Board of Directors 1995/1996

Front Row: **K. Vigneswaran, S. Poopalasingham, Rosalind Rajanayagam (President), Bavani Sivaramalingam, Mani Pathmarajah.**

Back row: **S. Thiagaraja, S. Tharmalingam, Aloy Ratnasingham, V. Eeswaranathan, P.S. Soosaithasan, J.C. Kumaradas.**

Award

APARTMENT FOR SALE
In Ward Place, Colombo 7

Spacious, 3-bedroom 2-bath (master bedroom with attached bath), with large kitchen and servants room and bathroom available for immediate sale. Located on the second floor in a quiet neighbourhood right across from the residence of a former President.

Asking US$119,000/OBO. Call or Fax: Naresh at 916 853 9710 (US)

IMMIGRATION, ASYLUM, NATIONALITY & CRIMINAL SOLICITORS

Rengan N. Devarajan
SOLICITORS

ALSO:
- LANDLORD - TENANT ISSUES
- WELFARE / HOUSING
- MATRIMONIAL ISSUES
- POLICE STATION ADVICE
- PERSONAL INJURY CLAIMS

LEGAL AID

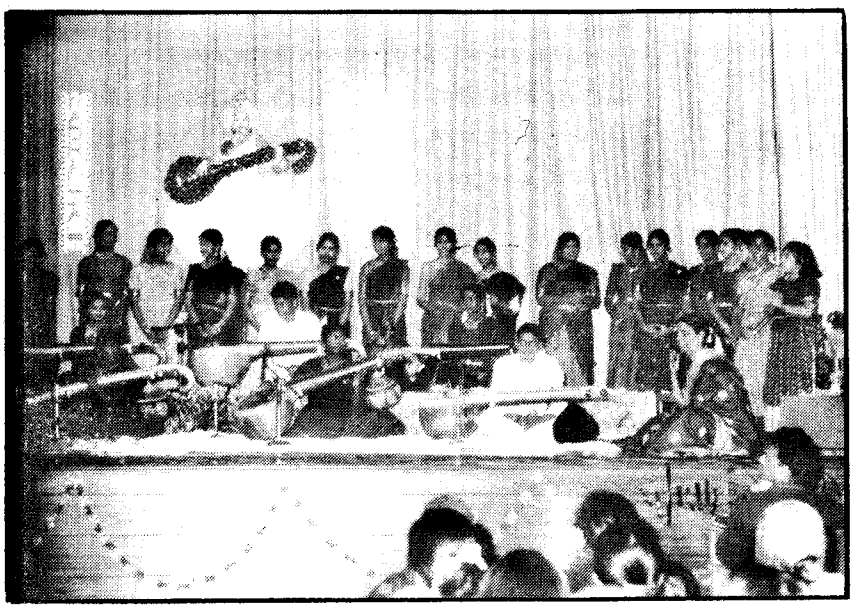
OPEN 9.00am - 6.00pm

CALL US FOR FRIENDLY & UNDERSTANDING LEGAL ADVICE

0181-478 5797
EMERGENCIES MOBILE 0836 546429

PARKING AVAILABLE

1ST FLOOR, 128 ILFORD LANE, ILFORD, ESSEX IG1 2LE



Nadhanjali Veena Concert

Smt Brindha Jeganathan, one of the outstanding veena tutors in the UK presented a well produced veena ensemble titled 'Nadhanjali' by over 30 of her students at Holy Cross Convent School Hall, New Malden, Surrey on 16.12.95. The students were in five groups – a Junior group, two groups for Intermediates and two for Seniors. Perfect Sruthi and Tala were maintained in every item.

The raga alapana of Mohanam played by Sharmilee Sarvanandan in Senior Group 2 was done extremely well with ease and feeling. The raga alapana of Sri Ragam followed by Tanam played to the ascent and descent notes in the same raga by Senior Group 2 was novel and noteworthy. The Pancharatnam 'Entharo' also in Sri Raga, which followed was rendered excellently. The Sai Bhajans too came off well.

Smt Brindha Jeganathan has done very well with a young group of students. The support from parents and well wishers need special mention. The assistance from accompaning artistes Sri Muthu Sivarajah on Mirudangam, Sri Sithamparanathan on Morsing and Sri Gananathan on Ghadam was remarkable. Sound effects were by Sri Seelan and Smt Kalpana Mohan did the compering.

President Clinton Writes to Lakshmi

8-year-old poet Lakshmi had sent her book of poems to President Clinton and made an appeal on behalf of her people. 'We enjoyed our Xmas, but the children in Sri Lanka cannot enjoy their Xmas and other festivals because of war. Some of my aunties, uncles and cousins are in the midst of war and they have no food, shelter or medicines. Please, please stop this war'.

The President had in a letter signed by him replied as follows:- 'Thank you for writing and sending your kind gift. Your thoughts and concerns regarding current issues are important for me. Your views will be carefully considered.

Helping Lankan Refugees

The Malaysian Ceylonese Congress (MCC) has set up a Sri Lankan Refugee Fund to aid refugees of the current conflict in Sri Lanka. MCC president Datuk Dr. N. Arumugasamy wishes to make a collection in conjunction with the World Refugees Fund set up by the United Nations Malaysian Association. The MCC fund will channel all assistance through the Red Cross in London to benefit those in refugee camps with the aim of providing medical supplies and basic necessities such as food, clothing, shelter and kerosene. Donations can be sent to MCC at Room 804, 8th Floor Bangunan Yayasan Selang or Jalan Bukit Bintang, 55100 Kuala Lumpur.

Veena Chittibabu Passes Away

Chittibabu, eminent veena exponent passed away of a heart attack on 10.2.96. He was 59 and leaves behind his wife and three sons. Born in Andrha Pradesh he started learning veena at the age of 5, gave his full-fledged concert at the age of 12, and was acclaimed a child prodigy. He was the disciple of the late Mahamahopadhyaya Dr. Emani Sankara Sastry. Chittibabu had scored music for a few films and had several awards, honours and titles to his credit.

கிறிஸ்துவின் சேவையில்
BURNING BUSH
ஒரு மக்கள் சபை.
BRO. BARNABAS ALEXANDER
TEL / FAX: 0181- 251 8325

Private Tuition
Pure/Applied Mathematics, Statistics, Physics O/A Level, Homes visited
Tel: 0181-864 3227

FOR SALE
Land in Colombo 7, Alexander Place between Barnes and Horton Place. 7.02 perches at one million rupees a perch. US $ or Pounds Sterling only.
M. Mahadeva, c/Galeon – 11 – 9A, 28042 Madrid, Spain.

J. KULENDRAN
Beddington Insurance Services (Wimbledon) Ltd

157A Hartfield Road,
Wimbledon,
London SW19 3TJ
Tel: 0181-543 5181

96 Sudbury Avenue,
North Wembley,
Middlesex HA0 3BG
Tel: 0181-904 9686

MOTOR
- Fast cars
- Young drivers
- Convictions, etc.

HOUSEHOLD
- Contents and Buildings
- Commercial and Domestic Funding

COMMERCIAL
- Business Insurance
- Liability
- Indemnity, etc.

Fully Computerised Guaranteed Quotes and Instant Cover For Motor Vehicles
Payment by Instalments Available

WE EXCEL IN THE PERSONAL SERVICE WE PROVID

YOGA & CO.

For all your legal work and conveyancing

Solicitors & Administrators of Oaths

47 Booth Road, Colindale, London NW9 5JS

Telephone 0181-205 0899

IMMIGRATION SOLICITOR

★ Asylum Applications/Asylum Appeals
★ Extended Stay/Permanent Residence
★ Visas for Elderly Parents, Wives, Visitors, Students
★ Citizenship ★ Also Other Appeals

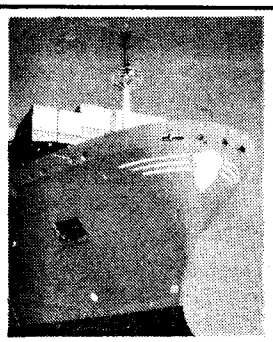
Nearly 700 Tamil clients acted for up to now

Legal Aid Available

A.J. PATERSON

Phone/Fax: Tony Paterson on 0181-748 8532

TRANSCONTINENTAL
SHIPPING & TRAVEL LTD



The Most Comprehensive Shipping/Air Cargo Service to Colombo Clearing at Ceylon Shipping Warehouse

SEAFREIGHT : £ 2.50 Per Cu.Ft.
TEA CHEST : £12.50

உங்கள் உடமைகள் யாவையும் கப்பல் மூலமாகவோ அல்லது விமான மூலமாகவோ உரிய நேரத்தில் பாதுகாப்பாகவும் துரிதமாகவும் அனுப்புவதற்கு
TRANSCONTINENTAL SHIPPING
அதுமட்டுமல்ல, நீங்கள் அனுப்பும் பொருட்கள் யாவையும் கொழும்பிலுள்ள பாதுகாப்பான சேகரிப்பு நிலையத்திற்கு (Private Warehouse) அனுப்பி உரிய நேரத்தில் ஒருவித கஷ்டமின்றி உங்கள் கையில் ஒப்படைப்பதில் விர்ப்பன்னர்கள்
TRANSCONTINENTAL SHIPPING
அத்துடன், உங்கள் விமானப் பிரயாணம் எவ்விடம் என்றாலும் குறைந்த விலையில் சிகரற்ற சேவைகளை செய்து கொடுப்பதில் முன்னணியில் நிற்பவர்கள்
TRANSCONTINENTAL

நீங்கள் தொடர்பு கொள்ள வேண்டியவர்கள்: *Harry Mahendra, Asoka Fernando or Nagabalan*

Woodgreen Business Centre, Suite 412, Ashley House
235 High Road, Woodgreen, London N22 4HF

0181-889 8486, MOBILE: 0956 524500, FAX: 0181-889 2676

OPEN SEVEN DAYS INCLUDING SUNDAYS

GLEN EXPRESS TRAVEL LTD

IATA

155 Notting Hill Gate, London W11 3LF
Tel: 0171 221 3498 Fax: 0171 243 8277

Twice a week

BRITISH AIRWAYS

scheduled flights to Colombo

Departure
Tuesday & Saturday
at 11.30 p.m.
From Gatwick via Abu Dhabi

Arrival
Wednesday & Sunday
Return possible via Madras on BA

Competitive hotel rates in Sri Lanka

Access VISA Diners Club International AMERICAN EXPRESS

Major credit cards accepted

Fares to Australia available

SHIPPING – AIR FREIGHT – TRAVEL

UNACCOMPANIED BAGGAGE – PERSONAL EFFECTS, HOUSEHOLD GOODS
VEHICLES, MACHINERY ETC.

To **COLOMBO** *AND OTHER WORLD WIDE DESTINATIONS*

MAIN AGENT FOR AIRLANKA

Passenger Tickets and Unaccompanied Baggage

Please Contact Us For Various Discounted Fares To Colombo And Other World Wide Destinations

GLEN CARRIERS LIMITED

14 Allied Way, off Warple Way, Acton, London W3 0RQ
Telephone: 0181 740 8379/0181 749 0595
Fax: 0181 740 4229
BONDED WAREHOUSE
Laksiriseva, 253/3 Avissawella Road, Colombo 14 Tel: 575576

TRICO INTERNATIONAL (SHIPPING) LTD

TRICO SHIPPING SCHEDULE

YOUR GOODS MUST BE AT OUR WAREHOUSE 5 WORKING DAYS BEFORE DEPARTURE

Vessel Name	Closing Date	Sailing	Arrival
Keelung	18.02.96	23.02.96	10.03.96
Vancouver	03.03.96	08.03.96	24.03.96
Hanjin Kobe	10.03.96	15.03.96	31.03.96

CANADA
Trico Shipping – 685 Lansdowne Av., Suite 202, Toronto, Ont. M6H 3Y9.
Toll Free: 1-800-565 6190
Tel: 416 536 0098 Fax: 416 536 1901

AUSTRALIA
Unit 8, 24-26 Carrick, Tullamarine, Victoria 3043
Tel. 631 3388 5978

Our modern warehouse and offices are under one roof with ample car parking facilities where our customers have the extra benefit of packing their goods themselves with our assistance.
We offer a friendly and professional service at competitive rates. Once your goods are in our hands, we guarantee a safe and efficient delivery to your destination. We also offer FREE STORAGE to our customers for a period of ONE MONTH in our bonded warehouse in Colombo.

THE LEADING SRI LANKAN SHIPPING AND FREIGHT FORWARDING COMPANY IN THE UK

Trico International Shipping Ltd
Unit 4,Building 'C'The Business Centre at Wood Green, Clarendon Rd,London N22 6XJ
Tel: 0181-888 8787 Fax: 0181 889 5445

UNIWEST

INTERNATIONAL

30 Friern Barnet Road,
London N11 1NA

Tel : 0181-361 5087 / 4937
0181-368 9544
Fax : 0181-361 8498

All goods are lodged in a modern, fully computerised. Bonded warehouse (outside the Port)
Ceylon Shipping Lines, 294/10 D.R.
Wijewardena Mawatha, Colombo 10. Tel: 432994/5

WE ARE STILL THE BEST AND CHEAPEST

NO HIDDEN CHARGES

Air Lanka Appointed Travel Agent

Travel Agents for Kuwait, Emirates, Gulf Air, Air France, KLM, Royal Jordanian, PIA and Balkan Airlines.

Ship Your CAR in a Container for £795 + Insurance
Our Colombo Office Warehouse is Staffed by 2 Experienced Officers to Ensure Personal Attention and Speedy Clearance of Your Goods

Branch Offices in Toronto & Paris